

tion of California, relative to the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Manufacturers and Producers' Association of California, relative to the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. NEVIN: Resolutions of Caleb Marker Post, No. 646, of New Paris, Ohio; Al. Mason Post, No. 598, of Miamisburg, Ohio; Hiram Strong Post, No. 79, of Dayton, Ohio; Harrison Whight Post, No. 497, of Gratis, Ohio; Reese Mitchell Post, No. 361, of Camden, Ohio; Veteran Post No. 5, of National Military Home, Ohio; Wetzel-Compton Post, No. 96, of Hamilton, Ohio; Duster Post, No. 446, of Dayton, Ohio, and The Old Guard Post, No. 23, of Dayton, Ohio, Grand Army of the Republic, in favor of the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. PORTER: Papers to accompany bill H. R. 10925, directing the issue of a check in lieu of lost check drawn in favor of the Pittsburgh Shear, Knife, and Machine Company—to the Committee on Claims.

By Mr. ROBINSON of Indiana: Petition of La Due & Carmer, of Auburn, Ind., in favor of increasing powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Resolution of the Buffalo Lumber Exchange, in favor of enlarging powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. WM. ALDEN SMITH: Resolution of Champlain Post, No. 29, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WACHTER: Petitions of John C. Thomas and 30 others, Rev. C. T. House and 16 others, William E. Curley and 24 others, H. C. Risner and 20 others, John W. Dorsey and 20 others, and Delmer W. Lander and 20 others, all of Baltimore, Md., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Providence (R. I.) Chamber of Commerce, relative to the completion of the Point Judith harbor of refuge—to the Committee on Rivers and Harbors.

By Mr. WILLIAMS of Illinois: Resolutions of James Mayes Post, No. 480, of Mount Erie, Ill., and Z. B. Lee Post, No. 692, of Orchardville, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WOODYARD: Petition of J. B. McGregor and 37 others, of Pennsboro, W. Va., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

SENATE.

THURSDAY, January 28, 1904.

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

JUDGMENTS IN INDIAN DEPREDAATION CASES.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 25th instant, a list of all judgments rendered by the Court of Claims in Indian depredation cases since December 5, 1903; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

INTERNATIONAL CONGRESS OF HYGIENE AND DEMOGRAPHY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, requesting authority to extend to the Twelfth International Congress of Hygiene and Demography a formal invitation to hold the thirteenth congress at the city of Washington in 1909; which, with the accompanying papers, was referred to the Committee on Foreign Relations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 7287) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Clarke and Choctaw, Ala., in section 7, township 9, range 1 west of St. Stephen's meridian; and

A bill (H. R. 7288) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Black Warrior River, in Tuscaloosa County, Ala., in section 3, township 21 south, range 9 west of Huntsville meridian.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of R. B. Hays Post, No. 120, of Plano; of Veteran Post, No. 49, of Elgin; of Streator Post, No. 68, of Streator, and of General W. B. Hazen Post, No. 7, of Chicago, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. HANSBROUGH presented a memorial of sundry citizens of North Dakota, remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PENROSE presented a memorial of sundry citizens of Reading, Pa., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Reading, Pa., remonstrating against the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the Board of Trade of Philadelphia, Pa., praying for the ratification of the treaty between the United States and the Republic of Panama; which was referred to the Committee on Foreign Relations.

He also presented petitions of Colonel Ulric Dahlgren Post, No. 14, of Philadelphia; of Lieutenant William A. Bruner Post, No. 335, of Sunbury; of Perkins Post, No. 203, of Athens; of Post No. 145, of Richland Center; of Post No. 114, of Philadelphia; of Brandywine Post, No. 54, of Coatesville; of George Smith Post, No. 79, of Conshohocken; of Lieutenant James M. Lysle Post, No. 123, of Allegheny; of Robert Oldham Post, No. 527, of South Bethlehem; of General D. B. Birney Post, No. 63, of Philadelphia; of Lafayette Post, No. 217, of Easton; of General Phil Kearney Post, No. 55, of Philadelphia; of Colonel James Cameron Post, No. 185, of Dalmatia; of Larimer Post, No. 179, of Clearfield, and of Hiram Warner Post, No. 594, of Wilcox, all of the Department of Pennsylvania, Grand Army of the Republic, in the State of Pennsylvania, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of Jacob Maynard Post, No. 377, of Mehoopany; of Captain John Whitney Post, No. 368, of Laceyville; of J. W. Reynolds Post, No. 98, of Tunkhannock; of Captain E. J. Rice Post, No. 211, of Factoryville, and of Captain Rufus Freas Post, No. 323, of Beaumont, all of the Department of Pennsylvania, Grand Army of the Republic, in the State of Pennsylvania, praying for the enactment of legislation granting pensions to certain officers and men in the Army and Navy of the United States when 50 years of age and over, and increasing widows' pensions to \$12 per month; which were referred to the Committee on Pensions.

Mr. DOLLIVER presented petitions of the Hawthorne Club, of Wyoming; of the Ladies' Missionary Society of Wyoming, and of the Home Missionary Society of Wyoming, all in the State of Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Lenox Post, No. 316, of Lenox; of Richmond Post, No. 230, of Richmond; of Pitzer Post, No. 55, of Winterset; of Mulligan Post, No. 102, of Sheffield; of J. C. Sumners Post, No. 296, of Shellsburg; of S. S. Dillman Post, No. 343, of Toledo; of Captain Alex Dowd Post, No. 375, of Iowa; of Rice Post, No. 283, of Conway; of Weldon Post, No. 426, of Weldon; of Eaton Post, No. 86, of Woodbine; of Colonel Mills Post, No. 45, of Adel; of Maxwell Post, No. 14, of Stuart; of Charles Payne Post, No. 141, of Iowa Falls; of Robert F. Lowe Post, No. 167, of Sigourney; of Post No. 367, of Fairbank; of A. M. Taylor Post, No. 153, of Wapello; of John B. Hancox Post, No. 314, of Belle Plaine; of Albert Winchels Post, No. 327, of Lyons, and of P. M. Corder Post, No. 98, of Vinton, all of the Department of Iowa, Grand Army of the Republic, in the State of Iowa, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. NELSON presented a petition of the Minnesota Society, Sons of the American Revolution, praying for the enactment of legislation to prevent the desecration of the American flag; which was referred to the Committee on Military Affairs.

He also presented a petition of George N. Morgan Post, No. 4, Department of Minnesota, Grand Army of the Republic, of Minneapolis, Minn., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. PROCTOR presented a petition of John T. Sennott Post, No. 12, Department of Vermont, Grand Army of the Republic, of West Rutland, Vt., and a petition of Jarvis Post, No. 43, De-

partment of Vermont, Grand Army of the Republic, of Springfield, Vt., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. CLAY presented a petition of the board of directors of the Cotton Exchange of Savannah, Ga., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Board of Trade of Brunswick, Ga., praying that an appropriation be made for deepening the inner harbor and outer bar at that place; which was referred to the Committee on Commerce.

He also presented a petition of the Board of Trade of Brunswick, Ga., praying for the enactment of legislation providing for the construction of a canal connecting the waters of the Atlantic and Pacific oceans; which was referred to the Committee on Commerce.

Mr. BEVERIDGE presented a petition of Local Post No. 86, Department of Indiana, Grand Army of the Republic, of Jeffersonville, Ind., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the congregation of the First Methodist Church of Brazil, of the congregation of the Christian Church of Brazil, and of the congregation of the First Baptist Church of Brazil, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FAIRBANKS presented a memorial of J. S. Farrell & Co., of Indianapolis, Ind., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented the memorial of Risch & Heller and sundry other citizens of Vincennes, Ind., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of R. J. Hall and sundry other citizens of Craftonville, Cal., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Missionary Society of the Methodist Episcopal Church, of the Woman's Foreign Missionary Society of the First Methodist Episcopal Church, of the Woman's Home Missionary Society of the First Methodist Episcopal Church, of the Irving Circle, and of the National Reading Club, all of Terre Haute; of the Missionary Society of the Indiana Conference of the Methodist Episcopal Church, and of the congregation of the Methodist Episcopal Church, all of New Paris, and of William Ball and sundry other citizens of Logansport, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FRYE presented a petition of the executive council of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation providing for the appointment of a commission to inquire into the condition of the American merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of the New York Zoological Society, of New York City, praying for the enactment of legislation providing for the protection of the Calaveras grove of big trees in California; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of Stafford Castle, No. 26, Knights of the Golden Eagle, of Manahawkin, N. J., and a petition of the congregation of the University Methodist Episcopal Church, of Los Angeles, Cal., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

PAYMENT OF DAMAGES FOR PERSONAL INJURY.

Mr. WARREN. I present a letter from the Secretary of the Navy and accompanying papers, that I ask to have printed as a miscellaneous document and referred to the Committee on Claims. It is with reference to a bill referred to that Department, which bill provided for the payment of damages for personal injury. As the committee is besought continually for information as to the attitude of the committee and the Department, I move that these papers be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. PENROSE, from the Committee on Commerce, to whom was referred the bill (S. 2172) for establishing further aids to navigation in Delaware Bay and River, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, submitted a report accompanied by a bill (S. 3905) to establish aids to navigation in Delaware Bay and River; which was read twice by its title.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 2818) permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn., reported it with amendments, and submitted a report thereon.

Mr. FOSTER of Washington, from the Committee on Commerce, to whom was referred the bill (S. 1734) to provide for the modification of the project for the improvement of the harbor of New Haven, Conn., reported it with an amendment, and submitted a report thereon.

Mr. QUARLES, from the Committee on Commerce, to whom was referred the bill (S. 2936) for the establishment of a depot for the engineer of the ninth light-house district at or near the city of Milwaukee, Wis., reported it without amendment, and submitted a report thereon.

Mr. NELSON, from the Committee on Commerce, to whom was referred the bill (H. R. 9308) permitting the building of a dam across the Mississippi River between the counties of Wright and Sherburne, in the State of Minnesota, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 3530) to provide for the construction of a light-house and buoy tender for the inspector of the eleventh light-house district, reported it with amendments, and submitted a report thereon.

Mr. STEWART, from the Committee on Indian Affairs, to whom was referred the bill (S. 2860) to further amend an act to amend an act approved January 21, 1903, entitled "An act to amend an act entitled 'An act to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory,' approved June 6, 1900," reported it with amendments, and submitted a report thereon.

Mr. CLAPP, from the Committee on Claims, to whom was referred the bill (S. 3621) for the relief of Rufus Neal, reported it with an amendment, and submitted a report thereon.

Mr. BARD, from the Committee on Indian Affairs, to whom was referred the memorial of the Northern California Indian Association, praying that lands be allotted to the landless Indians of the northern part of the State of California, moved that it be printed as a document; which was agreed to.

D'ANGERS'S BUST OF WASHINGTON.

Mr. CULLOM. I report from the Committee on Foreign Relations a joint resolution, for which I ask present consideration.

The joint resolution (S. R. 36) accepting a reproduction of the bust of Washington from certain citizens of the Republic of France, and tendering the thanks of Congress to the donors therefor, was read the first time by its title, and the second time at length, as follows:

Whereas Count de Rochambeau, Marquis de Lafayette, Marquis de Grasse, Mr. Henry Jouin, and other citizens of France have tendered to the Government of the United States a reproduction of the bust of Washington by David d'Angers, which was destroyed in the fire at the Capitol in 1861, to be placed in the Capitol of the United States: Therefore,

Resolved, etc., That said gift is hereby accepted in the name of the people of the United States, and the thanks of Congress are tendered to the donors therefor.

SEC. 2. That the Joint Committee on the Library are hereby instructed to make arrangements for the formal presentation of said gift to Congress on a day to be hereafter fixed by said committee, and that said committee shall cause said bust to be placed in an appropriate and conspicuous place in the Capitol building.

SEC. 3. That the Secretary of State be directed to transmit a copy of this joint resolution to the donors, through the Government of the French Republic.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

Mr. CULLOM. I have a letter from the Secretary of State, also one from M. Jusserand, the ambassador from France, one from our ambassador at Paris, and some other papers connected with this question. I think I ought to ask that the Senate print them as a document, so that there may be some record of this gift. On examination I find that when the original bust was accepted by this Government there seems to be no record of it in the Library or anywhere else.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent for the printing of certain letters and papers touching this matter which he sends to the desk. The Chair hears no objection, and the order is made.

HEARINGS BEFORE COMMITTEE ON AGRICULTURE AND FORESTRY.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. PROCTOR on the 26th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Agriculture and Forestry be, and it is hereby, authorized to employ a stenographer to report hearings on bills coming before said committee, the expense thereof to be paid from the contingent fund of the Senate, and that the committee be authorized to have said hearings printed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3906) granting an increase of pension to James H. V. Voldo, alias James H. Venier (with an accompanying paper);

A bill (S. 3907) granting an increase of pension to Charles S. Keniston;

A bill (S. 3908) granting an increase of pension to Hugh M. Stevenson (with an accompanying paper); and

A bill (S. 3909) granting a pension to Angeline Allen (with accompanying papers).

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3910) directing the issue of a check in lieu of a lost check drawn in favor of the Pittsburgh Shear, Knife and Machine Company, now the Heppenstall Forge and Knife Company, of Pittsburgh, Pa.; and

A bill (S. 3911) for the relief of Mary Cairney.

Mr. LODGE introduced a bill (S. 3912) to authorize the President of the United States to appoint John Gibbon captain and quartermaster in the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3913) to equalize the pay of retired officers of the line, Engineer, Medical, and Pay Corps of the Navy with officers of corresponding rank on the retired list of the Army; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. BEVERIDGE introduced a bill (S. 3914) granting an increase of pension to John W. Branch; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURROWS introduced a bill (S. 3915) granting an increase of pension to Benjamin F. Bollinger; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 3916) to fix the salary of the collector of customs at Portsmouth, N. H.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3917) to define the term "registered nurse" and to provide for the registration of nurses in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3918) granting a pension to Abbie A. Straw; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LATIMER introduced a bill (S. 3919) granting a pension to Florence E. Foster; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 3920) conferring jurisdiction on the Court of Claims to try, adjudicate, and determine certain claims for compensation for carrying the mails and pay for the discontinuance of postal service; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3921) to authorize the Secretary of War to cause to be investigated and to provide for the payment of all claims for the use and occupation of church and school buildings and grounds for Government purposes by the United States military authorities during the late war, and all claims for damages resulting from the appropriation to Government use of any of the furnishings or materials in said class of buildings; which was read twice by its title, and referred to the Committee on Claims.

Mr. SIMMONS introduced a bill (S. 3922) for the relief of the estate of D. L. Pritchard, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. KEAN introduced a bill (S. 3923) for the extension of Wyoming avenue, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CLAY introduced a bill (S. 3924) for survey and estimate of cost of deepening Brunswick (Ga.) inner harbor and outer bar; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MCENERY introduced the following bills; which were sev-

erally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3925) for the relief of T. Alonzo Walker and Augusta C. Todd;

A bill (S. 3926) for the relief of James Goodwin (with an accompanying paper); and

A bill (S. 3927) for the relief of the estates of Celeste Belanger Tanner and Lemuel Tanner, deceased (with an accompanying paper).

Mr. KITTREDGE introduced a bill (S. 3928) to provide an American register for the steam yacht *Waturus*; which was read twice by its title, and referred to the Committee on Commerce.

Mr. SCOTT introduced a bill (S. 3929) for the relief of the estate of H. F. Cocke, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3930) to provide for the payment of a bounty to District of Columbia Volunteers; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. FORAKER introduced a bill (S. 3931) to acquire certain ground in Hall and Elvan's subdivision of Meridian Hill for a Government reservation; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PLATT of Connecticut introduced a bill (S. 3932) to establish a light and fog signal at or near Black Ledge, New London Harbor, entrance to New London Harbor, Long Island Sound, Connecticut; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HANSBROUGH introduced a joint resolution (S. R. 37) providing for the editions to be printed of the annual and special reports of the Librarian of Congress; which was read twice by its title, and referred to the Committee on Printing.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PROCTOR submitted an amendment proposing to appropriate \$135,000 for the enlargement of the post at Willets Point, Long Island, New York, intended to be proposed by him to the army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. BURROWS submitted an amendment proposing to increase the salary of the first assistant in the Senate document room from \$1,800 to \$2,100, and to increase the salaries of two assistants in the Senate document room from \$1,400 to \$1,800, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. FOSTER of Washington (for Mr. ANKENY) submitted an amendment proposing to appropriate \$50,000 for the construction of bachelor officers' quarters, storehouse for officers' and troop property when ordered to distant stations, and for reconstruction and necessary repairs to present officers' quarters and barracks at Fort Walla Walla, Wash., intended to be proposed by Mr. ANKENY to the army appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Military Affairs.

HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. STEWART submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Indian Affairs be, and the same is hereby, authorized to employ during the Fifty-eighth Congress a stenographer, from time to time as may be necessary, to report such hearings as may be had by the committee or its subcommittees in connection with any matter which may be before the committee, and to have the same printed for its use; that it may sit during the sessions of the Senate or during the periods of its adjournment; that it may summon such witnesses as may be necessary to appear before the committee, and that any expense in connection with the foregoing shall be paid out of the contingent fund of the Senate.

A. C. HAWLEY.

Mr. CULLOM submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to place upon the messenger roll the name of A. C. Hawley, at an annual salary of \$1,440, to be paid from the contingent fund until otherwise provided for, he having been dropped through the reorganization of the committees.

JOURNAL OF CONFEDERATE STATES CONGRESS.

Mr. FORAKER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and he is hereby, directed to transmit to the Senate a copy of the Journal of the Provisional and the First and Second Congresses of the Confederate States of America, now in the custody of the War Department.

ABSTRACT OF TWELFTH CENSUS.

Mr. QUARLES. I submit a concurrent resolution and ask unanimous consent for its present consideration.

The concurrent resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 30,000 copies of the Abstract of the Twelfth Census, 4,500 for the use of the Senate, 7,800 for the use of the House, and 17,700 to be distributed by the Director of the Census.

The PRESIDENT pro tempore. The Chair is inclined to think that the resolution ought to go to the Committee on Printing, as the cost will be more than \$500.

Mr. QUARLES. Very well, let it go to the committee.

The PRESIDENT pro tempore. The concurrent resolution will be referred to the Committee on Printing.

PROCEEDINGS OF NEW PANAMA CANAL COMPANY.

Mr. MORGAN. I present the official proceedings of the New Panama Canal Company at its meeting in Paris—its ordinary meeting, it is styled here in French—on the 30th day of December, 1903, accompanied by a report of the council of administration of that company and also of the commissionaires or auditors.

The document is in French. It is authentic. I have attempted to have it translated at the Library and also at the Bureau of American Republics, but without success, unless I would pay money for it. I ask that the paper be printed as a document for the use of the Senate, and that the Secretary of the Senate be instructed to have it translated into English.

The PRESIDENT pro tempore. The Senator from Alabama asks that the paper which he sends to the desk be printed as a Senate document, and that the Secretary be instructed to have it translated.

Mr. CULLOM. May I inquire of the Senator what it is? I did not hear his remarks.

Mr. MORGAN. It is the official proceedings of the New Panama Canal Company at Paris on the 30th day of December last.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama? The Chair hears none, and the order is made.

STATUES OF CHARLES CARROLL AND JOHN HANSON.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the concurrent resolution of the Senate providing for the printing of 16,500 copies of the proceedings in Congress upon the acceptance of the statues of Charles Carroll of Carrollton and John Hanson, presented by the State of Maryland, which were, in line 7, to strike out "five" and insert "three;" and in line 8 to strike out "ten" and insert "twelve."

Mr. McCOMAS. In the absence of the chairman of the Committee on Printing, I move that the Senate nonconcur in the amendments of the House of Representatives and request a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. PLATT of New York, Mr. McCOMAS, and Mr. GORMAN were appointed.

TREATIES, LAWS, ETC., RELATING TO INDIAN AFFAIRS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the concurrent resolution of the Senate providing for the printing of 3,000 copies of Senate Document No. 452, Fifty-seventh Congress, first session, of the "Treaties, Laws, Executive Orders, etc., Relating to Indian Affairs," which was, in line 14, after the words "one thousand," to insert "five hundred."

Mr. STEWART. I move that the Senate agree to the amendment of the House of Representatives.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

The bill (H. R. 7287) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Clarke and Choctaw, Ala., in section 7, township 9, range 1 west of St. Stephens meridian; and

A bill (H. R. 7288) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Black Warrior River, in Tuscaloosa County, Ala., in section 3, township 21 south, range 9 west of Huntsville meridian.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

A bill (H. R. 661) granting an increase of pension to Elizabeth E. Meckly;

A bill (H. R. 722) granting an increase of pension to Zechariah B. Stuart;

A bill (H. R. 864) granting an increase of pension to Albert Moulton;

A bill (H. R. 907) granting an increase of pension to De Witt C. Parker, alias Clinton J. Parker;

A bill (H. R. 930) granting an increase of pension to Thomas M. Parkison;

A bill (H. R. 942) granting an increase of pension to James F. Hardy;

A bill (H. R. 957) granting an increase of pension to Alonzo Carpenter;

A bill (H. R. 990) granting an increase of pension to Harrison W. Fox;

A bill (H. R. 1184) granting an increase of pension to William F. Longenhagen;

A bill (H. R. 1288) granting an increase of pension to Jason Stevens;

A bill (H. R. 1517) granting an increase of pension to George W. Hutchison;

A bill (H. R. 1856) granting an increase of pension to Alexander H. Covert;

A bill (H. R. 2042) granting an increase of pension to Alvin B. Hubbard;

A bill (H. R. 2108) granting an increase of pension to Henry D. Wright;

A bill (H. R. 2155) granting an increase of pension to Charles W. Bechstedt;

A bill (H. R. 2188) granting an increase of pension to Richard L. Cook;

A bill (H. R. 2472) granting an increase of pension to David F. Lewis;

A bill (H. R. 2616) granting an increase of pension to Joseph K. Welt;

A bill (H. R. 2690) granting an increase of pension to Thomas Kelly;

A bill (H. R. 2991) granting an increase of pension to Lydia A. Topping;

A bill (H. R. 3000) granting an increase of pension to William C. Best;

A bill (H. R. 3001) granting an increase of pension to Alpheus Converse;

A bill (H. R. 3013) granting an increase of pension to John A. Mavity;

A bill (H. R. 3472) granting an increase of pension to Marcus E. Amsden;

A bill (H. R. 3743) granting an increase of pension to Charles E. Foley;

A bill (H. R. 3778) granting an increase of pension to Juliaetta Rowling;

A bill (H. R. 3821) granting an increase of pension to Hannah Padgett, now Riley;

A bill (H. R. 4115) granting an increase of pension to Joseph S. Young;

A bill (H. R. 4319) granting an increase of pension to John Sexton;

A bill (H. R. 4726) granting an increase of pension to Samuel B. Brightman;

A bill (H. R. 4935) granting an increase of pension to Edward T. Miller;

A bill (H. R. 5005) granting an increase of pension to Worthington S. Lock;

A bill (H. R. 5177) granting an increase of pension to William H. Clark;

A bill (H. R. 5197) granting an increase of pension to William C. Brown;

A bill (H. R. 5246) granting an increase of pension to Sebastian B. Elliott;

A bill (H. R. 5521) granting an increase of pension to Charles S. Clark;

A bill (H. R. 5719) granting an increase of pension to Forbes Homiston;

A bill (H. R. 6004) granting an increase of pension to William C. Lyon;

A bill (H. R. 6441) granting an increase of pension to Peter Fillion;

A bill (H. R. 6619) granting an increase of pension to Benjamin R. Little;

A bill (H. R. 6830) granting an increase of pension to Charles E. Likes;

A bill (H. R. 6975) granting an increase of pension to George W. Lawson;

A bill (H. R. 7002) granting an increase of pension to James S. Rearden;

A bill (H. R. 7370) granting an increase of pension to Andrew Ivory; and

A bill (H. R. 7666) granting an increase of pension to Laura F. Hine.

STATUE OF KOSCIUSKO.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, referred to the Committee on the Library, and ordered to be printed:

To the Senate and House of Representatives:

I herewith lay before the Congress a letter from the Polish organizations of the United States, and the report thereon from Col. Thomas W. Symons, Superintendent of Public Buildings and Grounds. In view of the recommendation of Colonel Symons I advise that the very patriotic offer of the Polish organizations be accepted, and that instead of the statue of Pulaski (which, in the judgment of his Polish compatriots should be an equestrian statue, and which it is now proposed to place in reservation 33, on the north side of Pennsylvania avenue, between Thirteenth and Fourteenth streets), there be a pedestrian statue of Kosciuszko accepted by the Government, to be placed on one of the four corners of Lafayette Square. These four corners would thus ultimately be occupied by statues of Lafayette, Rochambeau, Von Steuben, and Kosciuszko, all of whom in the stormy days which saw the birth of the Republic rendered service which can never be forgotten by our people.

THEODORE ROOSEVELT.

WHITE HOUSE, January 28, 1904.

NOTE.—The papers accompanying a similar message to the House of Representatives.

W. D. CRUM.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Treasury, which will be read:

The Secretary read as follows:

OFFICE OF THE SECRETARY,
TREASURY DEPARTMENT,
Washington, January 27, 1904.

MY DEAR SIR: Replying to Senate's resolution of January 25, 1904, I beg to advise, William D. Crum was appointed collector at the port of Charleston, S. C., March 20, 1903, and a temporary commission issued. Mr. Crum qualified by executing bond for \$50,000 and took oath of office March 30, 1903. Mr. Crum was again appointed December 7, 1903, and has given bond in the sum of \$50,000 and took the oath of office on January 9, 1904. There has been no third appointment and no fourth appointment. The same information is contained in a letter to Hon. B. R. TILLMAN, under date of January 8, 1904, and which appears in the CONGRESSIONAL RECORD of January 25, 1904.

The resolution also asks: "Is Mr. Crum now in office; and if so, under what authority of law?" William D. Crum is de facto collector at the port of Charleston, S. C. Whether he holds his position under authority of law is determinable not by the executive department of the Government, but by the judiciary, and by that only. He is not receiving pay, because of the provisions of section 1761.

Very truly, yours,

L. M. SHAW.

Hon. WILLIAM P. FRYE,
President pro tempore United States Senate.

The PRESIDENT pro tempore. The communication will lie on the table and be printed.

PIPE LINE THROUGH INDIAN LANDS.

Mr. STEWART. I am directed by the Committee on Indian Affairs, to whom was referred the bill (S. 3317) authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands, to report it favorably without amendment. There can not be any objection to the bill. It proposes to lay pipe lines which will do nobody any harm. There are parties who are ready to do the work and are waiting to go ahead with it. I ask unanimous consent that the bill be put upon its passage.

Mr. ALLISON. What is the bill?

Mr. STEWART. It allows the Secretary of the Interior to authorize pipe lines to convey oil and gas through Indian lands in the Indian Territory.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent for the present consideration of the bill just reported by him. It will be read.

The Secretary read the bill.

Mr. ALLISON. How long is the easement to continue under the bill? For all time? I think it ought to be pretty well regulated.

Mr. STEWART. Just pipe lines underground will not do anybody much harm.

Mr. ALLISON. I do not know. Some one else might want to put pipe lines there.

Mr. STEWART. There is no exclusive right given by the bill.

Mr. SPOONER. Is there a reservation in it? Is the right reserved to Congress to amend the act?

Mr. STEWART. I do not think there is. There should be such a reservation.

Mr. ALLISON. There is no limitation on the power of the Secretary of the Interior.

Mr. STEWART. Let that be put in the bill.

Mr. SPOONER. Reserving the right to alter and amend.

Mr. COCKRELL. I have just looked at the bill. I had occasion to examine it a little more fully a few days ago, as I had introduced a bill which is now pending on the Calendar reported favorably. That bill proposed to insert "oil and pipe lines" in section 3 of the Indian appropriation act, which I have here on my desk.

Mr. STEWART. I have no objection to the bill going over.

Mr. COCKRELL. I have compared that bill with this. Practi-

cally the only difference between them is that in the bill I presented after the word "telegraph" the words "oil and gas pipe" were inserted. As I understand this bill it reenacts section 3 and puts in all the provisions that were in section 3, just as they were in the bill. So practically it is only inserting those words. However, I have no objection to its lying over. I have the original act and all the other acts. I happened to look at this bill, finding that it was on the same subject. I have not had time to read the two, but so far as I have been able to discover the only difference in the world is that this bill reenacts the old law, so that it will be an independent law.

Mr. STEWART. There is no objection to the bill going over if any Senator wishes to look at it further. I think that it had better lie over, because if the one already reported answers the purpose it can be called up and passed. There is no objection to its lying over to see whether it does.

Mr. COCKRELL. I do not object. Section 3 of the act of March 3, 1901, is the section that is practically reenacted by the bill. The bill I introduced is Senate bill 2302, and it is on the Calendar now. It just provided for the insertion after the word "telegraph" of the words "oil and gas pipe;" so that it would read "telegraph, oil and gas pipe lines." This bill puts those words in and reenacts the provision. There ought to be a provision in the bill to alter, amend, and repeal, as a matter of course.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

Mr. COCKRELL. I move as an amendment, "that Congress reserves the right to alter, amend, or repeal this act."

Mr. STEWART. Let it come in as a separate section.

The PRESIDENT pro tempore. The amendment of the Senator from Missouri will be stated.

The SECRETARY. It is proposed to add at the end of the bill, as a new section:

SEC. —. Congress reserves the right to alter, amend, or repeal this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELATIONS WITH NEW GRANADA OR COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The SECRETARY. Senate resolution 102, by Mr. NEWLANDS, requesting the President to negotiate a new treaty with the United States of Colombia, providing for the cession of all rights that they may claim to have in the Isthmus of Panama.

Mr. CULLOM. I move that the resolution be referred to the Committee on Foreign Relations.

The motion was agreed to.

HYGIENIC CONDITIONS, ETC., ON ISTHMUS OF PANAMA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated.

The SECRETARY. Senate resolution 109, by Mr. MORGAN, directing that certain official documents, hearings before the Committee on Inter-oceanic Canals in 1902 and statements of Merrill A. Teague, shall be referred to the Committee on Public Health and National Quarantine.

Mr. HOPKINS. I suggest that the Committee on Inter-oceanic Canals has jurisdiction of the subject-matter of the resolution. If agreeable to the Senator from Alabama, I should like to have the resolution lie over until the chairman of that committee, the junior Senator from Ohio [Mr. HANNA], is present. It may be that he will not share in my views, but I wish to have such action taken as will be agreeable to the chairman of the committee.

Mr. MORGAN. I have no objection to that course, if the resolution goes over subject to call.

The PRESIDENT pro tempore. The Senator from Alabama asks that the resolution shall lie on the table subject to call. It will remain on the table without prejudice. It holds its former position.

CORRESPONDENCE RELATIVE TO PANAMA TREATY.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated.

The SECRETARY. Senate resolution 110, by Mr. MORGAN, directing the Secretary of State to send to the Senate a copy of a dispatch or letter dated January 22, 1904, relating to the withdrawal or abandonment of all amendments to the Hay-Varilla treaty, etc.

Mr. MORGAN. I am informed that that paper will be laid before the Senate in executive session, and being under that engagement, I withdraw the resolution.

The PRESIDENT pro tempore. The resolution is withdrawn.

DIPLOMATIC CORRESPONDENCE RELATIVE TO PANAMA, ETC.

The PRESIDENT pro tempore. The Chair lays before the Senate the Calendar under Rule VIII.

Mr. CULBERSON. I call the attention of the Chair to the fact that resolution 104 ought to be laid before the Senate now. If not, I ask that it be done.

The PRESIDENT pro tempore. The trouble is that some resolutions have been laid on the table subject to call, and others have been laid on the table under the rule. This resolution was laid on the table subject to call.

Mr. CULBERSON. I call it up at this time.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution which will be stated.

The SECRETARY. Senate resolution 104, by Mr. CULBERSON, requesting the President to inform the Senate whether all correspondence, etc., between the Department of State and the legation of the United States at Bogota, has been sent to the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. CULLOM. Mr. President, I do not agree, so far as I am concerned, to the resolution as it now stands. In the first place, the resolution goes back fifty or sixty years probably, if it is the purpose to go back as far as the canal question has been before the country, and there is no evidence that it does not. If the resolution passes, I desire that it shall be amended so as to fix a date behind which the Department may not have to investigate, because we would not get an answer within two months unless we furnished them clerks.

Mr. CULBERSON. Mr. President, in answer to the suggestion of the Senator from Illinois, I will state that it is not the purpose of the resolution, of course, to go beyond the correspondence in reference to the Hay-Herran treaty.

Mr. SPOONER. Then let the resolution say so.

Mr. ALLISON. Then say so.

Mr. CULBERSON. It does, I think, say so in effect, without using that expression.

Mr. CULLOM. I suggest that after the word "notes," in line 10, the words "beginning with March, 1903," be inserted. That is the date of the ratification of the Hay-Herran treaty by the Senate. Then I would also suggest—

Mr. CULBERSON. What is the suggestion of the Senator from Illinois?

Mr. CULLOM. That the resolution shall be so amended as to limit it to March, 1903, which is the date of the ratification of the Hay-Herran treaty by the Senate.

Mr. CULBERSON. I understand there is a great deal of correspondence on this general subject leading up to the negotiation of the treaty, and we ought not to be bound by the date of the ratification by the Senate.

Mr. CULLOM. It is the Hay-Herran treaty that I am talking about. If you fix the date I state you certainly will get everything that anyone has any special interest in in connection with the subject. If the Senator wants an answer at some time it seems to me that it is in the interest of a prompt answer that the Department shall not be required to go back so far as the resolution would seem to require.

Mr. CULBERSON. I have stated that the resolution is not intended to go back beyond the negotiations leading up to the Hay-Herran treaty. With that understanding, I have no objection to any amendment that will make that purpose clearer than the resolution now does.

Mr. CULLOM. I think the words "beginning with March 17, 1903," which is the date of ratification here, should be inserted, and the question had not been discussed much, if at all, except between the Secretary of State and the minister or chargé d'affaires, who is here.

Mr. CULBERSON. Mr. President, a great deal of correspondence has already been sent to the Senate, as I understand it, between the Secretary of State and the representative of Colombia, leading to the negotiation of the Hay-Herran treaty. We think there are other papers relating to the same subject which have not yet been sent; and what we desire is to have the correspondence sent here covering the negotiation of this treaty up to the time of its ratification by the Senate on the 22d of January, 1903, and any subsequent correspondence leading to its attempted ratification by the Republic of Colombia. The suggestion of the Senator from Illinois will not accomplish that purpose.

Mr. CULLOM. What I desire is that the resolution shall be so framed as that when it is adopted—if it shall be adopted—there will be some point of time beyond which the Department shall not have to go in order to furnish the documents.

Mr. CULBERSON. We are willing, Mr. President, that it may not go back beyond June 28, 1902—the date on which the President approved the Spooner Act—if that will be satisfactory.

Mr. CULLOM. I am willing for that, but I want some date by which the Department can be governed.

Mr. CULBERSON. I will modify the resolution by inserting after the word "canal," in line 5, the words "since June 28, 1902."

The PRESIDENT pro tempore. The resolution will be so modified.

Mr. CULLOM. I have no objection to that modification. All I want is to get the information sent in here at some time or other, and give the Department a chance to know what they have got to furnish.

The PRESIDENT pro tempore. Will the Senate agree to the resolution as modified?

Mr. CULLOM. I am not willing to agree to the resolution as it now stands. I propose to amend by adding at the end of the resolution the words "if not in his judgment incompatible with the public interest;" and I insist on that amendment being adopted.

Mr. CULBERSON. I ask that the Secretary will now read the resolution as I have modified it and as it would stand if the amendment suggested by the Senator from Illinois should be adopted.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

Resolved, That the President be requested to inform the Senate whether all the correspondence and notes between the Department of State and the legation of the United States at Bogota, and between either of these and the Government of Colombia for the construction of an isthmian canal since June 28, 1902, and all the correspondence and notes between the United States and any of its officials or representatives or the Government of Panama, concerning the separation of Panama from Colombia, have been sent to the Senate and, if not, that he be requested to send the remaining correspondence and notes to the Senate in executive session, if not in his judgment incompatible with the public interest.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Illinois [Mr. CULLOM].

Mr. CULBERSON. Mr. President, it is not my purpose to enter into a discussion of the general subject of the Panama question, but to confine myself strictly to the pending resolution, and particularly to the amendment offered by the Senator from Illinois.

The resolution is not intended to call, and does not call, for any personal correspondence on the part of any official of the Government of the United States, nor does it seek any information of an extraneous character. It is confined distinctly and expressly to a request to send to the Senate official correspondence, and official correspondence only, relating to the negotiation and subsequent conduct of the Hay-Herran treaty and the incidents connected with Panama.

Mr. President, as an original proposition, I do not believe that it can be successfully refuted that the Senate is entitled to this correspondence. The President is not authorized by the Constitution to negotiate a treaty wholly by himself, but treaties must be negotiated by the President with the advice and consent of the Senate, and certainly, Mr. President, the Senate is entitled to all the official information which the President has in his possession upon which its judgment and advice is asked to the ratification of a treaty. Certainly the President can not retain in his possession matters of an official character included in correspondence between himself and the other contracting government which would lead him to negotiate a treaty which he is entitled to withhold from the Senate upon which it shall pass its judgment as to whether it shall advise and consent to such a treaty.

Not only is that true as an original proposition, Mr. President, but, as I understand it, this resolution accords with precedents on the subject; and the amendment proposed by the Senator from Illinois ought not to be adopted. I have not devoted all the time, perhaps, that I should devote to an examination of this question; but, so far as I have been able to discover from diligent inquiry and search among the precedents of our Government, and so far as others have been able to ascertain who have investigated this matter for me, no resolution has ever been adopted by the Senate, particularly when any point was made upon it, that when the Senate was asking for information relating to the negotiation of a treaty to be submitted to it in confidence by the President, it should be left to his judgment and discretion whether that information should be sent here.

This resolution does not ask the President to send this information in open session; it does not ask him to send this correspondence for the purpose of publication; but it expressly requests him to send it to the Senate in executive session, with all the secrecy and with all the confidence those terms at least ought to import in this body.

While I will not, Mr. President, undertake to recite at length the precedents on this subject, I do ask leave to call attention to certain transactions in our history which bear strongly upon this proposition.

In the message of President Washington March 30, 1796, sent to the House of Representatives, he declined to send information requested by the House upon the distinct ground that the treaty

which he was then discussing was not one in which the concurrence of the House of Representatives was required, or upon which the House of Representatives was entitled, under the Constitution, to express an opinion, indicating most clearly the opinion of President Washington that, if it had been a request from the Senate for this information pending the ratification of a treaty, the information would have been sent.

In a message of President Polk, dated January 12, 1848, answering a resolution of the House of Representatives, President Polk quotes from this message of President Washington in 1796, insisting under the rule laid down there and for the reason given there, that the House of Representatives was not entitled to the information, but clearly indicating in the argument that, if the request had been made by the Senate, the information would have been sent. In a message of President Polk, dated February 29, 1849, he uses this language:

In compliance with the resolution of the Senate passed in "executive session" on yesterday, requesting the President "to communicate to the Senate, in confidence, the entire correspondence between Mr. Trist and the Mexican commissioners from the time of his arrival in Mexico until the time of the negotiation of the treaty submitted to the Senate, and also the entire correspondence between Mr. Trist and the Secretary of State in relation to his negotiations with the Mexican commissioners, also all the correspondence between General Scott and the Government and between General Scott and Mr. Trist since the arrival of Mr. Trist in Mexico which may be in the possession of the Government," I transmit herewith the correspondence called for.

Mr. President, that was a resolution which passed, it is true, in executive session, calling upon the President to submit to the Senate, in confidence, the correspondence in question; but I take it that there is no special force in the fact that the information was called for while the Senate was sitting in executive session rather than in open session, because the information was to be sent to the Senate in confidence, as called for in the resolution now under consideration.

In another message of President Polk to the Senate February 9, 1849, this appears:

In compliance with the resolution of the Senate of the 6th instant, requesting the President to cause to be laid before that body, in "executive or open session, in his discretion, any instructions given to Ambrose H. Sevier and Nathan Clifford, commissioned as ministers plenipotentiary on the part of the United States to the Government of Mexico, or to either of said ministers, prior to the ratification by the Government of Mexico of the treaty of peace between the United States and that Republic," and certain correspondence and other papers specified in the said resolution, I communicate herewith a report from the Secretary of State, together with copies of the documents called for.

Mr. SPOONER. Was that a Senate resolution?

Mr. CULBERSON. Yes; a Senate resolution.

Mr. ALLISON. Will not the Senator read the resolution?

Mr. CULBERSON. Certainly. It is as follows:

Requesting the President to cause to be laid before that body, in "executive or open session, in his discretion, any instructions given to Ambrose H. Sevier and Nathan Clifford," etc.

In that resolution of the Senate the President was requested to give the information to the Senate either in open session or in secret session, as his judgment might dictate.

Mr. SPOONER. Will the Senator allow me to ask him a question only for information?

Mr. CULBERSON. Certainly.

Mr. SPOONER. Was that resolution introduced in legislative session or in executive session?

Mr. CULBERSON. It appears to have been introduced in legislative session. At least, the contrary does not appear, and I take it it was introduced in legislative session of the Senate. I should not think, however, that that would be of any special consequence; but if that is a matter of any particular importance, I presume the one I am now about to read will answer the suggestion of the Senator from Wisconsin.

Mr. SPOONER. I did not make any suggestion. I asked for information.

Mr. CULBERSON. I think the question was suggestive.

On March 8, 1848, President Polk sent a short message to the Senate, as follows:

In answer to the resolution of the Senate of this date, requesting the President to communicate to that body "confidentially, any additional dispatches which may have been received from Mr. Trist, and especially those which are promised by him in his letter to Mr. Buchanan of the 2d of February last, if the same have been received," I have to state that all the dispatches which have been received from Mr. Trist have been heretofore communicated to the Senate.

Mr. President, that is a resolution in perfect consonance with the one which is being considered by the Senate at this time. It was passed in open session, and the information was requested to be sent to the Senate confidentially, as is the information requested to be sent to the Senate in confidence or in executive session in the resolution we are now considering.

I therefore submit that in no case, so far as I have been able to discover, either by examination myself or through the aid of others, particularly when the question is called to the attention of the Sen-

ate, has any resolution ever been adopted by the Senate asking the President to communicate information in confidence to the Senate for the purpose of considering a treaty in which it has ever been left to his judgment and discretion as to whether that information shall be sent, and it occurs to us that it ought not to be done in this case.

The information is important, no doubt. We have information—we have direct information—that some documents and some official correspondence which have passed between our Government and the officials of Colombia bearing upon this general question have not been sent to the Senate heretofore in communications of a voluntary character made by the President, and we ask that it be done now, in order that we may have the full information here when we are called upon to advise and consent to the ratification of this treaty.

Mr. CULLOM. I want to assure the Senator, whether those words are in or out, that if the resolution shall be passed, he will get all the information there is in the Department which is pertinent to the general subject.

The thing which I am inclined to complain of is that there is, on the part of some Senators, a disposition or want of confidence that the President of the United States is willing to give information that is in possession of the executive department, that therefore there is something behind, and that the Senate ought to pass a resolution directing and insisting upon the President furnishing further information, which certain Senators seem to think is lying back in some secret corner.

Mr. President, it is a very common thing for the Senate of the United States in executive session and in legislative session to pass resolutions referring to treaties with the words inserted, "if in the judgment of the President it be not incompatible with the public interest to furnish the information;" and when I insist upon those words going into this resolution, I want the Senator from Texas and everybody else to understand that I am just as anxious as anyone can be that every single particle of information that is in the Department which is pertinent to the subject shall be furnished by the President, and I have no more doubt that it will be done than I have that I stand here in the presence of this Senate.

Now, I want to call the attention of the Senate for a moment to the very first resolution which my eye lights upon, that has been passed by this body only recently, and during the life of the late distinguished Senator Sherman:

Resolved, That the President is requested, if it is not in his opinion incompatible with the public interest, to send to the Senate all the correspondence between the United States and Great Britain, and other papers relating to the treaty of arbitration now pending in the Senate.

This resolution calling for information which was adopted in executive session, was introduced by the late Senator Sherman, and it was answered. I do not know what the answer was, for I have not had time to look it up.

That is one resolution, and I believe the Senator from Texas intimated to me the other day that if I could find one such resolution he would be very much gratified if I would show it to him. I did not happen to have the time to do the latter, but there is the resolution.

Mr. CULBERSON. What is the date of the resolution?

Mr. CULLOM. The date is 1897, only a few years ago, and the resolution was introduced in this body by the late Senator Sherman.

Mr. CULBERSON. Has the Senator a copy of the resolution?

Mr. CULLOM. Here is the thing itself. I had it copied from the Journal of the Senate.

Mr. CULBERSON. I did not understand from the reading whether or not the resolution was adopted in executive session.

Mr. CULLOM. Here is another. I do not know whether this resolution refers to a treaty, but I have taken the pains, Mr. President, by the aid of my clerk, to go over the records and see whether anything could be found on this subject generally. I do not know, as I said, whether this resolution has reference to a treaty or not, but I will read it:

Resolved, That the President be requested, if not incompatible with the public interest, to inform the Senate whether Great Britain or any other nation has protested against or objected to the making of the treaty with the Republic of Cuba which is now before the Senate, and if any such protest or objection has been made, the character thereof.

That resolution, which was introduced by the Senator from Colorado [Mr. TELLER], was agreed to. It does not refer directly to inquiries as to what the President did about the matter, but asked for other information.

Mr. LODGE. May I ask the Senator if these are executive resolutions?

Mr. CULLOM. Yes; executive resolutions.

Mr. LODGE. Taken from the Executive Journals of the Senate?

Mr. CULLOM. Yes; they are taken from the Journals of the executive sessions of the Senate. And I wish to say that anything

which was introduced in legislative session would not appear in the Journals of the executive sessions of the Senate.

Mr. COCKRELL. I want to ask the Senator if any point is made that this resolution is not in executive session? It does not make any difference, it seems to me, whether such a resolution is passed in executive session or not if it asks that the information be sent to the Senate in executive session.

Mr. CULLOM. That is true. I think, myself, however, while I make no point upon it, it would have been more apt and appropriate, as the resolution asks for an answer in executive session, that the resolution should have been introduced in executive session.

Mr. CLAY. Will the Senator allow me to ask him a question? The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Illinois yield to the Senator from Georgia?

Mr. CULLOM. I do.

Mr. CLAY. Is it not true that the Senate is a part of the treaty-making power, and participates with the Executive in making treaties, and that the Executive can not make a treaty without the consent of the Senate?

Mr. CULLOM. Most assuredly.

Mr. CLAY. Then, is it not true that the Senate in executive session would be entitled to all the information the President himself had, and all that aided him in making the treaty—every fact and circumstance connected with it—especially if we desired it in executive session?

Mr. CULLOM. Everybody knows that the Constitution makes the Senate a part of the treaty-making power.

There is no purpose on the part of the President to withhold information, but I take it that he does—though I do not know whether he does or not—insist that the usual courtesy which has been extended to other Presidents shall be extended to him. He will furnish every scrap of information that is in possession of the executive department, but I insist that the words I have suggested shall go into the resolution as the usual expression of later days when calling upon the President for information.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from South Carolina?

Mr. CULLOM. I do.

Mr. TILLMAN. Suppose the President does not.

Mr. CULLOM. Then we can deal with the subject when that time comes.

Mr. TILLMAN. But as part of the treaty-making power it seems to me we have to guard against the precedent of a surrender of the right, even in calling for these things, of demanding them rather than begging for them. No one wants to treat the President with any discourtesy; there is not the slightest intention to cast any imputation upon his honesty or his loyalty or his truthfulness or anything of that sort, but it is merely to give notice that certain papers are wanted, and that we, as part of the treaty-making power, have a right to those things. It is not any discourtesy to let the President understand that we have the right and to let him understand that we understand our rights.

Mr. CULLOM. The President of the United States has the right—and I insist upon it—to refuse or to comply, as he sees proper, whether you put the words in the resolution or not.

Mr. TILLMAN. Does the Senator say that the President has a right to refuse to send papers of this sort to the Senate in executive session?

Mr. CULLOM. I do say so.

Mr. TILLMAN. The Senator of course has a right to his opinion; but I should be very sorry to see the Senate of the United States surrender one of its prerogatives and constitutional rights to anybody at any time or anywhere.

Mr. HALE. Let me make a suggestion.

The PRESIDING OFFICER. Does the Senator from Illinois yield?

Mr. CULLOM. Yes, sir.

Mr. HALE. I wish to ask the Senator if he does not recall, as other Senators will recall, the circumstances taking place here when, upon nominations which must be confirmed by the Senate before commissions issue, the Senate under the leadership of the then veteran Senator from Vermont, Mr. Edmunds, insisted that the Senate had a right, as a part of the appointing power, to ask the President, and to compel him if need be, to send in all papers relating to nominations and the reason for the nominations, or for removal in case of a nomination in place of a removal? Some of us stood here for days waging that contest. President Cleveland declined, and stated squarely that he could not and would not send to the Senate such papers; and we on this side of the Chamber backed out of the controversy upon the presumption, the theory, that there was a discretion underlying in the President, and that we could not compel him.

Mr. COCKRELL. May I ask the Senator a question?

Mr. HALE. If the Senator will wait a moment, I will yield.

Mr. CULLOM. I have yielded to the Senator from Maine [Mr. HALE].

Mr. HALE. Now, in these cases—and that is the practical view of it, though there is great force in the contention of the Senator from Texas [Mr. CULBERSON] that upon a treaty the Senate should receive all possible information in the hands of the President—the universal courtesy has always obtained of granting the discretionary power to the President in the requests which are made by the Senate. I never knew it otherwise. It is no use in talking about the difficulty of crossing a stream until you reach it.

There never was, and never will be, a President who will decline upon a treaty to send to the Senate, a part of the treaty-making power, information upon the subject, unless it happens to be of that intricate and subtle kind that ought not to be communicated to anybody, and we shall never find a President declining to answer, if we send the customary message, including the courtesy that has always obtained, and the answer will satisfy us. If it does not, then we can deal with that situation; but we need not anticipate such a case by leaving out of the resolution the customary phrase.

I am sorry the Senator from Texas, who is a conservative man in his instincts, wants to violate the precedents. I am sorry that he has precipitated this question upon the Senate now, when there really never will be any occasion, when the answer is returned, for us to complain.

If there is we can deal with it; I do not know just how, but we can then express ourselves and can exhaust whatever power there is in the Senate. But I should hope that it would not be insisted upon now. Let us wait and see if the President in any way will even take the ground that President Cleveland did, that he would not send to the Senate certain information he had.

Mr. COCKRELL. Will the Senator from Maine yield for a question?

Mr. HALE. Certainly.

Mr. COCKRELL. Did not the demand there go beyond asking for papers relating to appointments and call for those relating to removals?

Mr. HALE. The Senator from Missouri probably did not notice it, but I said in my remarks that it involved the question not only of an appointment, but of removal, where an appointment was based upon a removal, and the President declined.

Mr. COCKRELL. I remember the discussion very distinctly—

Mr. HALE. As the Senator knows, we were here for weeks on it.

Mr. COCKRELL. I remember distinctly that I was very much opposed to the course of the President, and that the then Senator from Tennessee, Mr. Harris, and I both protested to the President against refusing to send in the papers relating to appointments. We did not think the Senate had any right to ask in regard to removals.

Mr. HALE. And the President maintained his attitude.

Mr. COCKRELL. He substantially maintained it, and yet, I understand, finally sent in all the papers relating to appointments, but not those relating to removals.

Mr. CULLOM. Of course. He would have done it anyway.

Mr. HALE. And the Senate abandoned its contention—abandoned its resolution.

Mr. COCKRELL. I do not think it might be considered an abandonment. There were only two or three speeches made on the Democratic side sustaining the President in his position. I know that. Finally the majority then, as now, acted upon all the nominations and were satisfied with the papers that he sent and did not call for additional ones.

Mr. HALE. "Times change and we change with them," and it is worth while to remember that as issues shift one side takes a position to-day and the other side the same position to-morrow; and it ought to be a monition to us not to be very forward in seeking to innovate in these cases.

Mr. MITCHELL. I wish to call the attention of the Senator from Maine to the fact that there were three resolutions—

Mr. CULLOM. Mr. President—

Mr. MITCHELL. I believe I have the floor.

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Oregon?

Mr. CULLOM. I am inclined to yield to anybody who wants to speak.

The PRESIDING OFFICER. The Senator from Illinois has the floor, and he yielded to the Senator from Maine.

Mr. MITCHELL. I wish to call the attention of the Senator from Maine to the fact that there were three resolutions, embodied all in one paper, bearing upon the general question discussed at that time. One of the resolutions, the last one, is the one to which the Senator refers, and my recollection is that the two former resolutions were adopted while the latter one was rejected.

Mr. TILLMAN. Will the Senator from Illinois yield to me?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from South Carolina?

Mr. CULLOM. Briefly.

Mr. TILLMAN. It seems to me we are contending here from different points of view, and as the Senator from Maine intimated a moment ago as to the whirligig of time and the ups and downs of politics change majorities we might swap positions very easily. But there is a principle involved here which was not involved in the Cleveland case. A treaty is a law of the land. An appointment is not a law of the land. It is not binding upon anybody.

Mr. ALDRICH. Oh, yes; it is.

Mr. TILLMAN. If the Senate agrees to an appointment, the appointee becomes a part of the machinery of government, it is true, but somebody else could take his place very readily, and it would not make any difference.

If Senators on the other side are merely contending for courtesy to the President, without the Senate surrendering any of its rights, I do not think any man on this side would hesitate for a moment to pay the President all proper courtesy and respect. But the whole question, as it appears to me, is whether or not in the matter of a treaty the Senate should ever consent to the view that it is within the discretion of the President to refuse information which would throw light on the treaty and enable Senators to pass upon it intelligently.

Mr. CULLOM. Mr. President, I think there is a principle involved in the insertion of those words, because the President of the United States is the head of one branch of the Government, and he has a right to his view of his duty under the Constitution as well as we have. But I say that in fact the resolution will be answered fully and completely and as truthfully as any executive officer ever answered a resolution in his life and as truthfully as anybody can answer anything.

Mr. HALE. And everybody will be satisfied.

Mr. CULLOM. And everybody will be satisfied, as the Senator from Maine says. This is an effort, apparently, on the part of some of our friends to get an advantage. After they had caucused on this matter, if I may be allowed to say so, for a week or two, this was the result. Mr. President, there never was a President in the White House in the history of the Government who would be further from prevaricating upon any question, whether it affected him or otherwise, than the present President of the United States. But I did not rise to discuss the resolution at very great length.

Mr. CULBERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Texas?

Mr. CULLOM. Certainly.

Mr. CULBERSON. I do not think I ought to allow the opportunity to pass without suggesting to the Senator that the inference he would seem to draw from the introduction of this resolution in its present form is entirely unjustified.

Mr. CULLOM. I withdraw any suggestion of that sort which I may have made.

Mr. CULBERSON. There is no indication that in presenting this resolution there is any hope on the part of anybody to catch the President in an untruth, or anything of the kind. The resolution simply purposes, Mr. President, what it imports on its face, that if there is any other official correspondence on this subject—

Mr. CULLOM. If there is, you will get it.

Mr. CULBERSON. That the President is requested to sent it. The President has never said in any message to this body that he has sent all the correspondence, and as soon as he says, if he does, that he has sent all the correspondence on the subject, of course everybody on this side of the Chamber as well as on the other will accept his statement as entirely correct.

Mr. CULLOM. I was proceeding to give instances as to what we had done heretofore, so as to show to the Senator and all Senators that the insertion of the words which I suggested should be put in the resolution is the most common thing to be done when we are asking the President for information. For instance, I read a resolution introduced by the Senator from Maine [Mr. HALE] who has just been speaking:

Resolved, That the President be, and hereby is, requested, if not in his judgment incompatible with the public interest, to send to the Senate all official correspondence not heretofore communicated with the British Government since October, 1891, relative to the Bering Sea controversy.
[Agreed to March 25, 1892.]

Those words were in that resolution. The resolution was adopted, and I have no doubt, though I did not follow it far enough to speak with certainty, that the resolution was answered fully.

Again, on June 21, 1893, Mr. Vilas—this was during the Administration of Mr. Cleveland—offered the following resolution:

Resolved, That the President of the United States be requested, if in his opinion compatible with the public interests, to furnish to the Senate the correspondence between the Department of State and the Government of

France relative to the pending extradition treaty between the two Governments, and any information in his possession relative to such treaty acquired since it was first submitted to the Senate.

I have my hands full of references to such resolutions, many of them exactly like that.

Mr. COCKRELL. Have you the resolution which was passed in 1886 calling on President Cleveland for information about offices?

Mr. CULLOM. No; I do not think I have it.

Mr. LODGE. That was an executive resolution.

Mr. CULLOM. It was an executive resolution?

Mr. LODGE. Yes.

Mr. FAIRBANKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Indiana?

Mr. CULLOM. Certainly.

Mr. FAIRBANKS. I should like to ask the Senator whether in the research which has been made of precedents any resolution has been found that does not leave to the President discretionary power?

Mr. CULLOM. Yes; there have been such resolutions. I will read such a one, which I believe I have in my hand at this moment. The following resolution was submitted in executive session January 9, 1844:

Resolved, That the President be requested to lay before the Senate confidentially, the Senate being in executive session, a copy of any instructions which may have been given by the Executive to the American minister in England on the subject of the title to and occupation of the Territory of Oregon since the 4th of March, 1841; also a copy of any correspondence which may have passed between this Government and that of Great Britain in relation to that subject since that time.

It turned out, I believe, that the President declined to comply with the resolution. There was a resolution in which there was no incompatibility phrase and yet the President declined to answer it.

Mr. FAIRBANKS. Will the Senator state the time when that resolution was adopted?

Mr. CULLOM. In 1844.

Mr. FAIRBANKS. 1844?

Mr. CULLOM. January 9, 1844.

Mr. MALLORY. Does the Senator know why the President declined?

Mr. CULLOM. I have not had time to run down the question.

Mr. MALLORY. It was not because he construed the absence of the incompatibility clause as a discourtesy to him or anything of that kind?

Mr. CULLOM. I have not had time to look up the question of the reason.

Mr. MALLORY. I think not.

Mr. CULLOM. I have not had time to look up the reason in any case. But in the time I had I ran over, with the help of my clerks, the journals of the executive sessions to see just exactly what had taken place in dealing with such resolutions.

Mr. ALLISON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Iowa?

Mr. CULLOM. Certainly.

Mr. ALLISON. I want to suggest to the Senator from Illinois that he is now reading from the proceedings in executive session.

Mr. GORMAN. It has all been made public since then.

Mr. ALLISON. I do not think those proceedings have been made public, although I do not know. I merely call attention to it.

Mr. GORMAN. They have all been made public.

Mr. ALLISON. They are all public? I would like to know whether that is the fact.

Mr. CULLOM. I think the point the Senator from Iowa makes is well taken as to some of these resolutions, although it did not occur to me at the moment.

Mr. ALLISON. The resolution of 1844 undoubtedly has been made public.

Mr. LODGE. They have been made public down to 1890.

Mr. GORMAN. Yes.

Mr. LODGE. Down to 1890 and not since; and there have been resolutions read dated 1897.

Mr. CULLOM. Yes. The first one I read ought not to have been read. It did not occur to me at the moment, however.

Mr. COCKRELL. They have all been made public up to 1890.

Mr. CULLOM. Senator Weller, on June 19, 1852, submitted the following resolution, which was agreed to:

Resolved, That the President of the United States be requested to inform the Senate, if not incompatible with the public interest, whether any propositions have been made by the King of the Sandwich Islands to cede or convey the sovereignty of said islands to the United States, and, if so, to communicate to the Senate all official information in his possession touching said subject.

On June 26 the President replied that he had taken the request into consideration, "But the conclusion which I have arrived at

is that the public interest would not be promoted, but, on the contrary, might, under circumstances of possible occurrence, be seriously endangered if it were now to be complied with."

The President answered that frankly and stated the reason why he was not disposed to comply with it, and so would any other President if there was anything which he could not, in his judgment, lay before the Senate either in executive session or in legislative session. This was in executive session.

Mr. COCKRELL. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Missouri?

Mr. CULLOM. Certainly.

Mr. COCKRELL. There was no treaty pending to which that related?

Mr. CULLOM. Does the Senator refer to the Weller resolution? No; I think there was not.

Mr. COCKRELL. There was no action of the Executive pending for consideration at the time when the request for information was refused.

Mr. CULLOM. "Whether any propositions have been made by the King of the Sandwich Islands to cede or convey any portion of the territory of said islands to the United States; and if so, to communicate to the Senate," etc., I do not know.

Mr. COCKRELL. But there was no treaty pending—

Mr. CULLOM. No treaty was pending.

Mr. COCKRELL. About which the Senate had any right to call upon him for correspondence.

Mr. CULLOM. He declined to answer, and gave the reasons why.

Mr. CULBERSON. And very properly. It had not been consummated.

Mr. COCKRELL. Certainly.

Mr. CULLOM. Mr. Mason, on June 25, 1852, introduced the following resolution, which was agreed to:

Resolved, That the President of the United States be requested to inform the Senate, if not in his opinion incompatible with the public interest, whether any convention or compact has been entered into on the part of the United States and Great Britain whereby the two Governments jointly recommend or advise Nicaragua and the Mosquito Indians on matters affecting their several and respective boundaries, etc.

That comes as near a treaty as you could possibly come and not actually be making one in terms.

President Fillmore declined to furnish the information, stating:

Any information which may be in the possession of the Executive on these subjects shall in due time be laid before the Senate, but it is apprehended that it would not comport with the public interests to communicate it under existing circumstances.

Mr. COCKRELL. The treaty had not been negotiated.

Mr. CULLOM. I do not know whether it had or not. They were dealing with the Mosquito Indians of Nicaragua.

Mr. COCKRELL. Nothing was completed.

Mr. CULLOM. Nothing was completed, and he declined to give any further information at that time.

Now, here is one from the late Senator Bayard.

The following resolution was submitted by Mr. Bayard on January 16, 1856, was agreed to, and the President complied with it:

Resolved, That the President be requested to communicate to the Senate, if it be not incompatible with the public interest, the correspondence between the Secretary of State and Edward Howell, while the latter was acting as consul to Matanzas, in relation to the estates of decedent American citizens in the island of Cuba.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Now, I will not take up the time of the Senate in running over these resolutions longer, because there are so many of them. I desire to say in perfect frankness that Webster introduced the words "if not incompatible with the public interest" in the first resolution calling upon the President in executive session for information that I have found. Of course in the early history of the Government, when meager records were kept, it is difficult to get full information, but Webster seems to have been the first man to introduce those words into such resolutions in executive session, calling upon the President for information of whatever nature.

Mr. President, I think the Senator having charge of this resolution ought to allow it to pass with those words in it, if he wants the information he is calling for; and I assure him that if we pass it in that way, limiting it in point of time so that the Government can answer it within a reasonable period, he will get a full and complete answer in a very few days.

I do not care to say anything more.

Mr. GORMAN. Mr. President, I feel that I ought to assure the Senator from Illinois [Mr. CULLOM], chairman of the Committee on Foreign Relations, in addition to what the Senator from Texas [Mr. CULBERSON], the author of this resolution, has said, that so far as I know—and I think I know that much—there has

not been, there is not now, and there is not likely to be at any time a disposition on this side of the Chamber, in framing communications to the President of the United States, to couch them otherwise than in the most respectful language, and that the matter of the resolution itself shall be such that it can not be tortured into a desire to reflect upon the President of the United States. We have too much respect for that office. That, however, will not and ought not to prevent us from criticising the acts of the President of the United States with frankness, but always within proper bounds.

In the matter of the resolution which is pending, I am quite certain that the words "within the discretion of the President" were left out purposely and properly. I know the records show that the action of this body has been in both forms. The President of the United States has frequently been requested to send to this body all the information that he might have in the Departments when a treaty was pending in the Senate. It is true that in later years, I think in nearly every case, the words "within his discretion" or "if not incompatible with the public interest" have been inserted. In every case the President has responded frankly, sometimes telling the Senate he has furnished all the correspondence and all the information.

In some cases, in one great case particularly, the President of the United States said it would not do, in the then condition, to furnish the Senate with all the information, but that the Senate and each Senator who was compelled to deal with the question should have the information at the Department, and that he would furnish every facility for them to see the original documents. But, Mr. President, there has never been any hesitation on the part of the Senate, under any Administration, in requesting every single item of information within the possession of the President or of the Secretary of State.

During President Polk's Administration Mr. Webster offered and had passed a resolution in this body while the treaty with Mexico was pending and while the armies were facing each other, only divided by a river. At that time the question of further conflict was pending, and the statement had been made in the public press, through the attacks upon Mr. Polk's Administration, that methods were used to bring about a result, and that for that purpose \$3,000,000 had been placed in the hands of an agent of the Government, the secret service of the United States. No more delicate position could be occupied by a President than President Polk occupied at that time, and yet Mr. Webster in this body offered the following resolution:

Resolved, That the President of the United States be requested to inform the Senate of the terms of the authority given to Nathaniel P. Trist to draw for the \$3,000,000 authorized by the act of the 2d of March, 1847.

President Polk did not refuse to furnish it to the Senate. The treaty was pending, as this treaty is pending now, and the call was made for the specific document. The reply came, and came in confidence. It does not appear in any document printed by the Senate.

Again, as the Senator from Illinois has referred to a resolution requesting the President of the United States to send to the Senate all the correspondence relating to the great controversy with Great Britain as to the northern boundary, which threatened war at any time, I will say a word on that subject. He sent in not only the suggestions as to the treaty that was proposed to be made, but, the Senate of the United States in 1846 having asked for specific information as to the correspondence with Mr. McLane, the agent or minister of the United States, in his reply, which will be found in the Presidents' Messages and Documents, between 1841 and 1849, on page 455, he said:

WASHINGTON, July 21, 1846.

To the Senate of the United States:

I herewith transmit, in compliance with the request of the Senate in their resolution of the 17th of June, 1846, a report of the Secretary of State, together with a copy of all "the dispatches and instructions relative to the Oregon treaty" forwarded to our minister—Mr. McLane—"not heretofore communicated to the Senate," including a statement of the propositions for the adjustment of the Oregon question previously made and rejected by the respective Governments. This statement was furnished to Mr. McLane before his departure from the country, and is dated on the 12th July, 1845, the day on which the note was addressed by the Secretary of State to Mr. Pakenham offering to settle the controversy by the forty-ninth parallel of latitude, which was rejected by that minister on the 29th July following.

The Senate will perceive that extracts from but two of Mr. McLane's "dispatches and communications to this Government" are transmitted, and these only because they were necessary to explain the answers given to them by the Secretary of State.

These dispatches are both numerous and voluminous, and from their confidential character their publication it is believed would be highly prejudicial to the public interests.

Public considerations alone have induced me to withhold the dispatches of Mr. McLane addressed to the Secretary of State. I concur with the Secretary of State in the views presented in his report herewith transmitted, against the publication of these dispatches.

Mr. McLane has performed his whole duty to his country, and I am not only willing, but anxious, that every Senator who may desire it shall have an opportunity of perusing these dispatches at the Department of State. The Secretary of State has been instructed to afford every facility for this purpose.

JAMES K. POLK.

But that was while the matter was pending between this Gov-

ernment and another great nation, when the premature publication might produce disastrous results.

In this case we are dealing with a small and insignificant country compared to ours, where the transaction, so far as the executive branch is concerned, is at an end; where there can be no document the publication of which would disturb the peace of the two countries. It is only the light we desire—all the information relating to a transaction that has passed from the hands of the President and has come to us.

Mr. LODGE. May I ask the Senator from Maryland a question?

Mr. GORMAN. Certainly.

Mr. LODGE. Do I understand the Senator to say that when we ratify the treaty the matter is at an end?

Mr. GORMAN. I mean to say that so far as concerns the negotiations leading up to the point where the treaty has been completed by the executive branch and has been transmitted to us—

Mr. LODGE. The Senator, of course, is aware that the treaty is not completed.

Mr. GORMAN. I am aware of that, and it can not be completed until it has been acted upon by this body.

Mr. LODGE. I mean after it is acted upon by this body it is not complete.

Mr. GORMAN. And it ought not to be acted upon here until we have every single item of information that the President had when he negotiated it.

Mr. ALDRICH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Rhode Island?

Mr. GORMAN. Certainly.

Mr. ALDRICH. I suppose Senators on the other side are desirous of obtaining information to be used in executive session in the consideration of the treaty?

Mr. GORMAN. Yes, sir.

Mr. LODGE. And they desire information upon all matters pertaining to it?

Mr. GORMAN. Yes, sir.

Mr. ALDRICH. And not upon negotiations of a difficult and delicate character, perhaps, which are now going on between some of these governments in regard to matters which have grown up since the treaty was negotiated. If that is their purpose, I suggest that an amendment or modification be made in the resolution, so that the correspondence called for shall be such as was exchanged prior to the negotiation of or has reference to the treaty now pending.

I think the Senator from Maryland himself would hardly feel like asking the President of the United States, who is charged with this work of carrying on diplomatic negotiations, to send here information in regard to what is now being done, if anything, as to matters between Colombia and the United States or between Panama and Colombia. I trust that that is not the purpose of this resolution.

Mr. GORMAN. I do not think the Senator from Rhode Island could put such a construction upon the resolution. Certainly it is not the intention.

I was not aware that other negotiations are pending. I hope, for the honor of the country, that they are, and that we may find some way out of it, so that every Senator, no matter whether on this or the other side, may feel and know that by sound judgment a wise public policy may be inaugurated which will bring back to us the good feeling of the people south of us on this continent. This is the first public intimation I have had that such a thought may have entered the minds of another branch of this Government.

No, Mr. President, I answer the Senator from Rhode Island frankly and say to him that if the President of the United States and his Secretary of State should say to the Senate of the United States in response to this resolution, as did President Polk to his great Secretary of State, there are communications in connection with this matter that ought not to be made public, but that Senators shall have every facility for informing themselves, we would all be content. It is due to him and due to his office, I beg Senators on the other side to understand perfectly, that while there is intense feeling it is not a feeling of hostility to the President of the United States himself, but there is intense feeling that this matter is beyond party lines, and while the motive, as stated by the President himself in his message, has been to advance civilization and commerce, the manner of doing it, the methods which have been employed, in the judgment of many of us put in jeopardy, if they do not entirely destroy, the work that has been begun for so many years and which has been followed by Republican as well as by Democratic statesmen.

It being the great purpose of our Government to promote commercial prosperity on honorable terms, in view of the great volume of trade that should come to us, greater from the states on the American continent than all that you are struggling for in

the Orient, it is the wise policy of the Government to attach those people to us, not by the Monroe doctrine, by which we were to protect them from foreign power, but to bring them in the closest possible commercial relations. And hence we have had commissions and congresses, and there has been a railroad constructed down the backbone from the farthest limit of our northern possessions, to the end that that trade might be brought to us. Look at the trade we have gained because of the American money that has entered into the construction of internal improvements in Mexico which have brought that great nation closer to us, and thereby our prosperity has been greatly increased.

What we desire is a policy of fair and honorable dealing, a policy which will bring them to us instead of taking their trade to Germany. That country, systematically and with great force, by planting its people upon the territory south of us, and by the inauguration of lines of transportation and banking facilities, is absorbing the commerce which belongs to us and which our present course is driving away.

That is the motive which prompts us, when you treat it alone from the commercial standpoint; but more than that we feel seriously and earnestly that the method of doing it is a blot upon our diplomatic relations which will never be wiped out.

That is the idea which has suggested all these inquiries, and I beg the Senator in charge of the great Committee on Foreign Relations not to be so sensitive. The President's honor will be taken care of, and the President's rights are perfectly guarded. There is no disposition to reflect upon him by any inquiry.

But we are bound, Mr. President, to guard the perfect right of the Senate of the United States. You and I are a part of this treaty-making power. The claim that any fact connected with the transactions shall be suppressed from you and me ought not to have a single advocate for a moment in this body.

Look at the documents sent here by President McKinley in the Fifty-sixth Congress, at the second session, in relation to the treaty, in the negotiation of which you, Mr. President [Mr. FRYE in the chair], bore a conspicuous part as well as in its consideration here. Not a line in regard to that treaty, so far as is known, was kept from the Senate, and documents of the most confidential character were sent without hesitation. Asking the President for them by the Senate was not a reflection upon him. He was too well versed in the conduct of the affairs of the nation to hesitate for a moment. He knew, as the present President knows, that it was not unusual for this body to advise the President pending negotiations, and that a resolution or an intimation that a course should be pursued was always followed by the President.

In the treaty-making power this is the first time, I think, where a majority being with the President have hesitated to give the information. It is proper to assume that all that has been done is honorable, is fair, and would not reflect upon the honor of the Government from the view point of the Executive. Then why be so sensitive? Why hesitate about the passage of any one of these resolutions? Will you force the treaty through before you give the information to us? I scarcely think, Mr. President, that the most intense partisan, the Senator most anxious simply to ratify the acts at the other end of the Avenue, will go quite so far. No Senator on this floor can point to a single proposition in the shape of a resolution that is not proper in itself, in every letter of it, and if, when they have been offered, a suggestion has been made on the other side that the phraseology should be changed, as in the case of the resolution I offered, the suggestion was promptly accepted.

I insist there is nothing in this resolution that is not in conformity with precedent, and when we have followed so distinguished a statesman as Mr. Webster, surely my friend from Illinois can not object.

Mr. SPOONER. Mr. President, this resolution is understood to represent "collective wisdom" of the other side.

Mr. GORMAN. "The best thought."

Mr. SPOONER. "The best thought" of the other side of the Senate. I do not adopt the suggestion made by the Senator from Illinois [Mr. CULLOM], that there could have been in its introduction in the open and legislative session of the Senate any ulterior purpose, because I know how absolutely guileless the Senator from Maryland [Mr. GORMAN] and the Senator from Texas [Mr. CULBERSON] are in all matters which could by any possibility even have a political aspect. I hope it will not be offensive, however, for me to say that after the speech of the Senator from Maryland I have a suspicion that this resolution, drawn as it was and introduced in legislative session, has already partly subverted the purpose which led to its introduction in this form.

Of course the Senators, I suppose, assumed that some one on this side of the Chamber would probably, as has been the custom, seek to insert in the resolution the amendment which has been moved by the Senator from Illinois, qualifying the resolution so as to leave it, as it would be probably without it, to the President

to determine whether the public interest would be subserved by withholding any document or correspondence. From that might be derived the inference, not of course for any partisan purpose, I would not suggest that for the world, that the Republican Senators would not pass this resolution without putting into it a shelter behind which something which ought to be published was to be kept private.

The PRESIDENT pro tempore. The Senator from Wisconsin will suspend while the Chair lays before the Senate the Calendar of General Orders.

The SECRETARY. Order of Business No. 13, Senate bill 887.

Mr. LODGE. I hope the Senator from Wisconsin will be allowed to proceed.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent that the Senator from Wisconsin may proceed.

Mr. ALDRICH. I ask that the resolution may be considered as being before the Senate until it is disposed of.

Mr. CULLOM. Yes; let us get it out of the way.

The PRESIDENT pro tempore. The Senator from Rhode Island asks unanimous consent that the resolution may proceed. Is there objection?

Mr. LODGE. Until disposed of.

The PRESIDENT pro tempore. Until disposed of.

Mr. ALDRICH. Until disposed of, making it the unfinished business.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. SPOONER. The Senator from Maryland made a very eloquent protest in connection with the amendment proposed here and by way of argument against it. He said, "Why shall anything be concealed which the Senate and the public ought to have?" Does the Senator think that the purpose of concealment is necessarily or naturally involved in making the language of this resolution in harmony with the custom of the Senate? The other day a resolution was introduced here calling for certain papers, the report of a special agent of the Treasury Department, confidential in its nature. The Senate incorporated in it, "if, in the judgment of the President, not incompatible with the public interest."

Mr. GORMAN. There was a special reason.

Mr. SPOONER. There was a special reason because it was confidential, because papers like the reports of the secret-service agents and many other documents which are in the archives of the Government are in their nature confidential, and because it is obvious to everyone that it might be detrimental to the public interest that they should be given to the public.

I suggest to the Senator from Maryland that this area here [indicating the aisle] never has divided the members of the Senate on any lines of national honor or of Senatorial honor, and that there is no one in this Chamber who may properly arrogate to himself the claim that some of the Senate care more for national honor than others. We are all as sensitive upon that subject, I take it, without regard to party, as any member of this body can be. But all that will be discussed later.

Now, Mr. President, I protest that the better practice, notwithstanding the precedents which have been referred to—and diligent search has produced but few and most of them of long ago—is that resolutions relating to executive or confidential business should be introduced in executive session. Since I have been a member of this body that has been the rule, although now and then there has been a departure from it.

This resolution recognizes the fact that there may be in the documents called for, and doubtless will be, papers which should not, in the interest of the Government, be given to the world, because the Senate, acting in a legislative capacity, is asking the President of the United States to send to the Senate, acting in an entirely different capacity, certain papers in the confidence of the executive session.

I can easily conceive of a situation in which it would be impossible to argue in the open session properly in antagonism to the passage of such a resolution. The chairman of the Committee on Foreign Relations might know that in a correspondence there were references to another government which, if given to the world, would be offensive. He could not so state in the open session.

There are many reasons, Mr. President, why the practice of recent years should be adhered to in confining executive business to the executive session of the Senate.

Now, I know of no papers which have not been sent to the Senate. If there is anything to be concealed about this business, I know nothing of it. I am speaking upon the theory that there is no scrap of paper which the President will not be willing to send to the Senate in executive session. But that is for him to determine.

The negotiation of treaties is a function conferred by the Constitution entirely upon the President. The Senate is not a partic-

ipant in that function. He may negotiate treaties through such agencies as he may choose. It may be done through the minister or ambassador, or whoever it may be, resident at the court of the country with which the treaty is to be made. It may be done upon oral negotiation; it may be done by the Secretary of State here at home in conversation with the representative of a foreign power.

The President, in the very nature of things, in negotiating treaties of vital consequence to the country, must have the utmost liberty of frankness in the instructions, the arguments, the strategy which he desires the agent whose service he is employing to pursue; and I am not willing to admit that the Senate, even in executive session, may command the President to lay before it all the negotiations, the letters of instruction, the correspondence, the conversations, the motives which led to this move or that, to this argument or that, when the treaty is laid before the Senate for consideration.

I do not know how it may have been, but I assume that in the old days Senators to whom papers were sent in confidence or who listened in executive session to frank speech under the seal of secrecy always maintained inviolable the faith.

Mr. President, I see a resolution here introduced January 5, 1899, I think in legislative session, by the Senator from Massachusetts [Mr. HOAR]:

Resolved, That the President of the United States, so far as in his judgment not inconsistent with the public interest, be requested to communicate to the Senate all instructions given by him to the commissioners for negotiating the pending treaty with Spain, and all correspondence between the Executive or the Department of State with such commissioners, and all reports made by them to him or to the Department.

I do not know whether the resolution was adopted or not.

Mr. LODGE. It was adopted.

Mr. SPOONER. I do remember that the correspondence, the protocols, were sent by the President to the Senate in executive session.

Mr. LODGE. And not printed.

Mr. SPOONER. No, not printed; but after the treaty had been ratified and when the time came to legislate as to certain phases of the matter, they were made public by the Senate.

Mr. BERRY. Not all of them, I think, if the Senator will permit me.

Mr. SPOONER. I think the Senator is right.

Mr. BERRY. I think some of them were never made public.

Mr. SPOONER. I think the Senator may be right about it.

Mr. LODGE. Some of them were not made public.

Mr. SPOONER. Some of them were not made public. I remember now one item in that correspondence which it would not have been in the interest of this country to have made public, although entirely proper and wise to be used by this Government.

Now, Mr. President, our relation to the President in legislative session we all understand. He is not the servant of Congress. He is not the servant of the Senate. It is not for the Senate to direct him or command him except within certain lines of legislation, within his oath to see that the laws are faithfully executed; and although we are a part of the treaty-making power, he is still the head, under the Constitution, of a coordinate and independent branch of this Government. He is not subject to the command of the Senate in executive session.

It is perfectly proper for the President, in executive session or in responding to a resolution adopted in executive session, to declare that he withholds certain papers because in his judgment the public interest requires it. No one disputes that.

Mr. TILLMAN. Does the Senator mean in regard to treaties, too?

Mr. SPOONER. Yes, I mean in regard to treaties. I think it is true as to treaties especially.

Mr. TILLMAN. Does the Senator forget that two-thirds of the Senate can pass a law over his veto and make him obey it?

Mr. SPOONER. If I forgot that I ought to go home. I do not forget.

Mr. TILLMAN. But the Senator is arguing apparently, to my mind, an absurdity. We have as much power in our sphere as the President.

Mr. SPOONER. Ah! That is just what I say; no more.

Mr. TILLMAN. No more. But as one part of the treaty-making body he can not keep secret from the other part of it any of the facts connected with that treaty and then have them all equal.

Mr. SPOONER. He can.

Mr. TILLMAN. Well, of course, he can; but the Senate ought not to permit it.

Mr. SPOONER. Oh, we will debate that in executive session. I am talking about one thing, and the Senator is talking about another. He was talking about our legislative power to veto under the Constitution. That is an entirely different subject.

Mr. TILLMAN. If the Senator will pardon me, I thought we were discussing the relative powers of the executive and legislative branches of the Government, we being a part of the latter.

The Senator seemed about to surrender to the Executive everything under certain circumstances; which is a contention I can not agree to at all.

Mr. BERRY. Will the Senator from Wisconsin permit me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Arkansas?

Mr. SPOONER. Certainly.

Mr. BERRY. If a treaty can only be made by the President and the Senate, and the President has possession of documents and papers bearing on the question as to whether that treaty ought to have been made or ought to be ratified, will the Senator say why the President ought not to send to the Senate, in executive session, every paper—I do not mean for publication—which bears on the question as to whether or not that treaty should or should not be ratified?

Mr. SPOONER. Who is to be the judge as to whether or not a paper or document bears on the question?

Mr. BERRY. The Senate, which calls for it, thinks that it does bear upon it. I do not know how we could make it more specific. We can make the request that the papers be furnished, and I can not see how it can be compatible with the public interest that the President should withhold from the Senate, in executive session, any matter that bears upon the question as to whether or not a treaty shall be ratified.

Mr. McLAURIN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. SPOONER. Yes, sir.

Mr. McLAURIN. I was just going to make the suggestion that he who has to pass upon the question would be the judge of whether the document and the evidence would be material and relevant to the question under consideration.

Mr. SPOONER. Oh, this question is an abstraction anyway. No President ever refused to send to the Senate, I take it, or ever will, when the Senate is considering a treaty, all information that would afford aid to the Senate in determining one way or another as to its action; and I say that the Senate in executive session, in my judgment, has no right to demand of the President, if it is, for any reason, against his judgment, every phase and chapter of the negotiations which led to the signing of the treaty; but we can take care of that later.

As to this resolution, I wish to say further—and I wish to hurry, because another Senator desires to be heard—I have myself no doubt that all the papers which the President has will come to the Senate. I have no doubt whatever of that. I am simply contending for a principle, for an attitude which I think should be maintained steadfastly by the Senate toward the head of a co-ordinate and independent branch of the Government.

But this resolution is broader than any argument made in support of it maintains. It is not simply a resolution calling upon the President to send to the Senate all correspondence which led to the negotiation of the treaty which is now pending before the Senate and which the Senate is called upon to ratify or reject, but it also calls upon the President to send to the Senate correspondence which the Senate did not call for when the treaty to which it refers was pending before the Senate and acted upon by the Senate. I refer to the correspondence which led up to the signing of the Hay-Herran treaty. We had almost unlimited debate upon that treaty. It was ratified by the Senate.

It did not occur to any Senator at that time that the President should be called upon, in order to enable the Senate to discharge intelligently its duty in acting upon that treaty, to lay before the Senate all the correspondence or any of the correspondence which pertained to the negotiation. That treaty is dead, Mr. President. It died at Bogota; and now the President is asked to send to the Senate correspondence which led to a treaty which has never become the law of the land—

Mr. CULBERSON. Mr. President—

Mr. SPOONER. And which Senators did not ask for, as I recollect, while that treaty was pending—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. SPOONER. In order that they may use it in acting upon another treaty made with a different government.

Now, I yield to the Senator from Texas.

Mr. CULBERSON. I call the Senator's attention to the fact that the amendment to which he refers was put into the resolution in the form suggested by the Senator from Illinois [Mr. CULLOM].

Mr. SPOONER. Very well; what change does that make? That simply relieves the President from sending to the Senate all the correspondence that ever existed in the history of this Government between this Government and Colombia in regard to a canal. That would call upon the President to send to the Senate

in confidence the correspondence relating to the treaty of 1846 so far as it related to a canal, and it distinctly mentions a canal.

Mr. CULBERSON. I invite the Senator's attention now to the fact that any such construction as that was expressly disclaimed by the mover of the resolution.

Mr. SPOONER. I am not talking about the mental operation or the oral disclaimer of the Senator from Texas. I am talking about the resolution.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Certainly.

Mr. TILLMAN. I call the Senator's attention to the fact that the pending treaty is made with the successor of Colombia, and that the President himself in his message has taken the position that whether we made a treaty in regard to the canal with New Granada, or Colombia, or Panama made no difference. It seems that the question of the honor of the Government is involved. I acknowledge that it is as dear to the Senator from Wisconsin as it is to me or anyone else on this side. We are not the only guardians of the honor of the United States, and we do not claim to be.

But I want to call the Senator's attention to the fact that this whole subject relates to a canal; that the question of the honesty or dishonesty, the honor or dishonor of this Government in relation to this canal transaction is under discussion, and that, therefore, any correspondence which relates to a canal or a treaty about a canal with either of these three entities—New Granada, Colombia, or Panama—might properly be brought in as a part of this document. Of course, nobody wants to go back to the treaty of 1846. We are dealing immediately with the two treaties, one of which has been rejected and one of which is now pending; the one negotiated with an actual government, and the other negotiated with—well, I suppose, the de facto government, though the question as to how it became so is under discussion.

I ask the Senator's attention in that phase of the subject as to whether or not his contention that the correspondence leading up to the Hay-Herran treaty is legitimately a part of the documents which might be considered in dealing with the successor of Colombia or the present status? That is rather a long question, but I imitate my friend sometimes in doing a little more than asking a question.

Mr. SPOONER. It is a long question, Mr. President, and, in my humble judgment, it has no more to do with the matter that I am immediately discussing than "the flowers that bloom in the spring." [Laughter.]

Mr. TILLMAN. I expected that.

Mr. SPOONER. But I am anxious to get through. I intend to vote, not only now, but always while I am a member of this body, no matter who is President—because it is in the interest of the country, and it is respectful and decent to any President—for the proposition or amendment which shall leave it to the discretion of the President to withhold any papers which, in his judgment, ought not to be made public.

I shall do it on principle; I shall do it because I think it is wise that it should be done; and I shall do it also in the full belief that in response to a resolution so worded there will not be a scrap of paper which refers to this subject or to the Hay-Herran treaty which will not be promptly communicated to the Senate by the President.

That is all I wish to say.

Mr. LODGE. Mr. President, the famous message in which Washington refused to send papers relating to the Jay treaty to the House of Representatives, although they had been already furnished to the Senate, relates, as is well known, chiefly to the power of the House to demand such documents, which Washington absolutely denied. I do not think there is any case in which the demand for papers relating to a treaty has led to a dispute between the Executive and the Senate.

But, Mr. President, I think there is a distinction to be drawn, in the first place, between what we may lawfully ask for and what we can not lawfully ask for. I do not think, for example—although the case has been much contested in the past—that the Senate has any right to ask the President to give his reasons for removing an officer from the public service. I think that is clearly beyond the right of the Senate.

I do not consider that the Senate—to take another example—has any right to ask the President to submit to it the credentials which led him to receive a foreign minister or an ambassador, because the right of receiving a foreign minister or an ambassador is vested in the President exclusively by the Constitution. On the other hand, I think the Senate may lawfully call for papers which will cast light upon an appointment to office, and I think the Senate may lawfully call, on the same principle, for any papers relating to a treaty. But the fact that we may lawfully call for papers does not deprive the President of the right to with-

hold papers in either case, if he thinks it is for the best public interest.

Andrew Jackson stated this distinction, I think, very well in 1835. The Senate sent a resolution asking for certain papers in regard to the removal of Gideon Fitz, late surveyor-general south of the State of Tennessee. The President said:

This is another of those calls for information made upon me by the Senate which have, in my judgment, either related to the subjects exclusively belonging to the executive department, or otherwise encroached on the constitutional powers of the Executive. Without conceding the right of the Senate to make either of these requests, I have yet, for the various reasons heretofore assigned in my several replies, deemed it expedient to comply with several of them. It is now, however, my solemn conviction that I ought no longer, from any motive nor in any degree, to yield to these unconstitutional demands. Their continued repetition imposes on me as the representative and trustee of the American people the painful but imperative duty of resisting to the utmost any further encroachment on the rights of the Executive.

Then at the end he says:

I therefore decline a compliance with so much of the resolution of the Senate as requests "copies of the charges, if any," in relation to Mr. Fitz, and in doing so must be distinctly understood as neither affirming nor denying that any such charges were made; but as the Senate may lawfully call upon the President for information properly appertaining to nominations submitted to them, I have the honor, in this respect, to reply that I have none to give them in the case of the person nominated as successor to Mr. Fitz.

Drawing the distinction which I have attempted to make.

Mr. ALDRICH. Would it interrupt the Senator if I should read from another Democratic authority, if the Senator is through quoting from Jackson?

Mr. LODGE. I was going to read further from Jackson.

Mr. ALDRICH. It is another Democratic authority from which I should like to read.

Mr. LODGE. I was going to show how he interpreted the right of the Senate to call for papers relating to an appointment. In 1834 he was asked for his reasons for appointing certain gentlemen directors of the Bank of the United States. He said:

I disclaim all pretension of right on the part of the President officially to inquire into or call in question the reasons of the Senate for rejecting any nomination whatsoever. As the President is not responsible to them for the reasons which induce him to make a nomination, so they are not responsible to him for the reasons which induce them to reject it. In these respects each is independent of the other and both responsible to their respective constituents. Nevertheless the attitude in which certain vital interests of the country are placed by the rejection of the gentlemen now renominated require of me frankly to communicate my views of the consequences which must necessarily follow this act of the Senate if it be not reconsidered.

Then, on June 13, 1834, he was asked for a paper relating to the nomination—not to the removal, but to the nomination—of the minister to Great Britain; and it is very interesting to see how he interpreted his powers in a case of that kind, where he admitted that the Senate might lawfully call for papers. He said:

I have this day received a resolution of the 13th instant requesting me to communicate to the Senate a copy of the first official communication which was made to Andrew Stevenson of the intention of the President to nominate him as a minister plenipotentiary and envoy extraordinary to the United Kingdom of Great Britain and Ireland and his answer thereto.

As a compliance with this resolution might be deemed an admission of the right of the Senate to call upon the President for confidential correspondence of this description, I consider it proper on this occasion to remark that I do not acknowledge such a right.

From these extracts it will be seen that the opinions of President Jackson were very definite, and that not only where he thought the Senate could not lawfully call for papers, but where he thought they had a lawful right to demand them, in both cases he was quite ready to refuse them. I now yield to the Senator from Rhode Island.

Mr. ALDRICH. Mr. President—

Mr. LODGE. I yield to the Senator. I have just a word more to say.

Mr. ALDRICH. If it will not interrupt the Senator—

Mr. LODGE. It does not interrupt me at all.

Mr. ALDRICH. I should like to read a statement made by another Democratic authority, whose party standing is perhaps more or less in doubt. I will read an extract from a message of President Cleveland, sent to the Senate in March, 1886. He said:

The requests and demands which by the score have for nearly three months been presented to the different departments of the Government, whatever may be their form, have but one complexion. They assume the right of the Senate to sit in judgment upon the exercise of my exclusive discretion and Executive function, for which I am solely responsible to the people from whom I have so lately received the sacred trust of office. My oath to support and defend the Constitution, my duty to the people who have chosen me to execute the powers of their great office and not to relinquish them, and my duty to the Chief Magistracy, which I must preserve unimpaired in all its dignity and vigor, compel me to refuse compliance with these demands.

Mr. LODGE. Mr. President, I think the statement just read by the Senator from Rhode Island sustains the view of President Jackson.

I only want to say a single word more in conclusion about this matter. This is a case where we can lawfully call for certain papers, and the President can as lawfully, in my judgment, withhold them if he thinks it is for the public interest that he should do so. It is proposed in this resolution to adopt the language of command. I do not think it is ever a good thing to adopt the

language of command unless you can enforce your command, and there is no power that can enable us to enforce our command against any President of the United States in a case like this. Even if we were to pass it unanimously, we should be quite helpless unless the House of Representatives happened to agree with us.

It seems to me, Mr. President, that to indulge in the language of command, which I do not think we have any right to indulge in, legally speaking, and at the same time to indulge in a wanton discourtesy, which the almost uniform practice of this body utterly discountenances, would be a very great and grave mistake.

Mr. President, I have no doubt that this resolution is wholly destitute of any party significance, because the Senator from Maryland [Mr. GORMAN] has told us so. The only thing that made me suspect for a moment that the resolution could have any political object was the extreme nobility and purity of the motives which the Senator set forward. They seemed to me almost superhuman, they were so lofty and so good.

I only wish to say further that, inasmuch as the Senator from Maryland referred to our being sensitive about all these resolutions, there is not one of them which this side would not be delighted to vote upon at any moment. We should be very glad to dispose of them all at the earliest possible day. Our only source of complaint in this whole matter is that we are not allowed to vote on anything, not even on these resolutions. If we could be permitted to vote on them, they at least could be disposed of.

Mr. BACON. Mr. President, I am not especially concerned about this resolution or the particular action which may be taken under it by the President, because I feel quite sure, from the statements which have been made by Senators, that a full response is going to be made by the President whatever may be the language of the resolution. But, Mr. President, the positions taken by honorable Senators here to-day upon the question which is involved make this a very important matter, and I am unwilling, under the statements which have been made by Senators as to their views of the rights of the President and the rights of the Senate, that the occasion should pass without my putting upon record, not simply what I may think upon it, but what has heretofore been uttered in this Chamber by learned and distinguished Senators, the weight of whose opinion I am sure will not be disregarded by those of us who now occupy places which they then so greatly honored and distinguished.

I am the more induced not to permit this occasion to pass from the fact that on yesterday we had a reply from the executive department, in response to a resolution sent by the Senate directing one of the officers of one of the Departments to communicate certain information to this Senate, and in that reply, sent by the President of the United States, we were shortly informed that, in his opinion, it was not compatible with the public interest that the Senate of the United States should have the information which was sought.

The debate which has been had here to-day raises clearly this issue: Is it within the province of the President of the United States in his discretion, his sole judgment, to communicate to Congress what may be desired of information within any of the Departments, or equally within his discretion and at his will to withhold the same? That it is thus within the powers of the President is the bold avowal, as I understand it, of Senators on the other side of the Chamber.

It has just been reiterated by the Senator from Massachusetts [Mr. LODGE] and previously stated by the Senator from Illinois [Mr. CULLOM] and other Senators that while it was within the power of the Senate and the province of the Senate to call for any information which it might desire it was equally within the power and the province of the President of the United States, in his judgment, to say that it was not compatible with the public interest that the Senate should have the information. That, the Senate will note, brings clearly the point in issue, which is this: While it is the right of the Senate to make the request, in whose judgment shall rest the determination of the question whether or not the information desired shall be communicated to the Senate? Shall it rest in the judgment of the President or shall it rest in the judgment of the Senate? That is the clear-cut question. The Senator from Wisconsin smiles, because I know his mind runs back to what I am now about to cite to the Senate.

Mr. President, there was once a great debate in this Senate on that question, and I think that when we come to sift it there could be no more serious question propounded to the Senate of the United States than that, because in its determination may rest, and would rest, questions of the gravest import; and if determined in favor of the right of the President to withhold at his discretion, the consequences which would flow from such a determination and from action thereunder it is difficult to overestimate. The question is fundamental in its nature and scope.

I felicitate myself and the country that in that great debate—

for it was a great debate, a debate participated in by Senators whose superiors, considered collectively, never sat in this Chamber since the foundation of the Government—I felicitate myself and the country upon the fact that in that great debate the Republican Senators took the position, and maintained it, that it was a matter for the determination of the Senate as to the information which it required, and that the President had no right to reply that he was the judge of that question.

Senators have read here to-day utterances of Democratic Presidents. I pin my faith to the utterance of no man when it is in derogation of the rights and the prerogatives of the Senate, be he of my party or against it. I am free to say two things—that I utterly disapprove of the contention of the Democratic Presidents whose utterances have been read here, who assumed to themselves the right to determine whether certain information should be given to the Senate upon its demand; and the other thing, which I am more than glad to say, is that in that great debate, in which the Republicans were upon one side in this Chamber and the Democrats upon the other side—not only do I concede it now, but I have conceded it heretofore in reference to this debate—the Republicans were in my opinion right and the Democrats were wrong as to the question of constitutional power.

It was a very narrow line of division between Democratic and Republican Senators in that debate. Upon both sides it was conceded that wherever the matter out of which the call proceeded rested confessedly within the jurisdiction of the Senate the Senate had the right to call for the papers and for themselves to determine whether or not they should be called for. On the side of the Republicans it was contended that when the question was in dispute whether or not the subject-matter was within the jurisdiction of the Senate it was then a question for the determination of the Senate. The Democrats, on the other hand, contended that in that case it was for the Executive to say whether or not it was within the jurisdiction of the Senate or without their jurisdiction.

That was the narrow line of division, and I am frank to say—and I have said so heretofore in the Senate—that the Republicans were then right in their contention. They went to the utmost limit, Mr. President, in the assertion of the power of the Senate not only to call for whatever was within the jurisdiction of the Senate, but to determine what was the jurisdiction of the Senate, and to deny to the President the right to assume that a certain demand was as to a matter outside the jurisdiction of the Senate.

Now, in passing I will call the attention of the learned Senator from Wisconsin to the fact, in view of his suggestion that questions of this kind should always originate in resolutions adopted or offered, if you please, in executive session, that the resolution out of which that great debate grew was one which related to executive business, and that it was offered in open session by the Judiciary Committee, then a Republican committee, headed by the Hon. George F. Edmunds. And that distinguished committee on the Republican side was composed of these Members: George F. Edmunds, John J. Ingalls, S. J. R. McMillan, GEORGE F. HOAR, James F. Wilson, and William M. Evarts.

Am I justified, after reading that list of names, in the statement which I made that there were men then here whose superiors collectively considered never sat in this Chamber?

Mr. ALDRICH. Who signed the minority report?

Mr. BACON. I have not the minority report before me, but I can state it pretty well from memory—Mr. Pugh, of Alabama; Mr. Vest, of Missouri, and two others whose names I do not now recall.

Mr. SPOONER. George, of Mississippi.

Mr. BACON. Yes; George, of Mississippi, if you please. I think he was undoubtedly one of them. Their names are not here.

This document which I hold in my hand contains the report of the majority. There was a minority report filed. But I want to call the attention of Senators to the fact that even as to the minority there was no possible dispute or contention denying to the Senate the right to call peremptorily for anything which related to a matter within the jurisdiction of the Senate, and, even according to their contention, this report now called for would be a legitimate call, and one not vested in the discretion of the President to refuse to furnish, because it relates to a treaty, which is a matter distinctly within the jurisdiction of the Senate.

In that particular case Senators, some of whom are now here and who were then here, will remember that the issue grew out of the fact that the President of the United States sent in a certain nomination for appointment to an office, and the question was raised as to whether or not there was legitimately a vacancy, in the fact that the President had removed the party who had theretofore held the office, and the Senate wanted to know the cause for which he had removed him. That was the contention upon which the debate rose.

Mr. SPOONER. That whole debate was predicated largely on the tenure-of-office act.

Mr. BACON. I understand that; there is no doubt about that fact. But that fact in no manner affected the merits of the question of constitutional power which was involved between the President and the Senate.

Mr. ALDRICH. Will the Senator from Georgia allow me to call his attention to a fact?

Mr. BACON. Certainly.

Mr. ALDRICH. The pending resolution has no reference whatever in terms to the pending treaty.

Mr. BACON. Well.

Mr. ALDRICH. The resolution does not ask for any correspondence or notes relative to the treaty in any form.

Mr. BACON. I will not stop to discuss that, because, as I stated in the beginning, my purpose in rising is not so much as to any particular interest in this particular resolution, but because of the position taken by Senators here, which I am unwilling shall pass unchallenged; and I wish to challenge it, not upon the strength of my convictions or my arguments, but upon the most elaborate and learned arguments that were made here by Republican Senators, then members of this body.

Mr. SPOONER. Will the Senator from Georgia allow me to ask him a question for information, not for debate?

The PRESIDING OFFICER (Mr. DEPEW in the chair). Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. Certainly.

Mr. SPOONER. Do I understand the Senator is contending that in no case the President is to be the judge of what information he or the executive department of the Government will send to either House?

Mr. BACON. If the learned Senator will allow me to pretermit an immediate answer to that question, I will endeavor, before I conclude, to answer the Senator in his own language which he has uttered in this Chamber. That will be the most satisfactory reply, I presume, that I can make to him.

Mr. SPOONER. I would rather have your opinion than my own.

Mr. BACON. I will endeavor to express it before I get through, if my physical condition permits.

There was sent to the Senate on that occasion a most elaborate report, signed by all the Republican members of the Judiciary Committee of the Senate, whose names I have already read to the Senate, headed by the Hon. George F. Edmunds, as chairman. The report is too long to be read now, but I will ask, if I may be excused, because I am not in the most robust physical condition at present, the Secretary to read on pages 4 and 5 where it is marked in this report. I will say to the Senate that it is Senate Report 135, Forty-ninth Congress, first session. I would prefer to read it myself, but under the circumstances I will ask the Secretary to read it. I hope it may have the attention of the Senate.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

The important question, then, is whether it is within the constitutional competence of either House of Congress to have access to the official papers and documents in the various public offices of the United States created by laws enacted by themselves. It may be fully admitted that except in respect of the Department of the Treasury there is no statute which commands the head of any Department to transmit to either House of Congress on its demand any information whatever concerning the administration of his Department, but the committee believes it to be clear that from the very nature of the powers intrusted by the Constitution to the two Houses of Congress it is a necessary incident that either House must have at all times the right to know all that officially exists or takes place in any of the Departments of the Government.

So perfectly was this proposition understood before and at the time of the formation of the Constitution that the Continental Congress, before the adoption of the present Constitution, in establishing a department of foreign affairs and providing for a principal officer thereof, thought it fit to enact that all books, records, and other papers in that office should be open to the inspection of any Member of Congress, provided that no copy should be taken of matters of secret nature without special leave of Congress. It was not thought necessary to enact that the Congress itself should be entitled to the production and inspection of such papers, for that right was supposed to exist in the very nature of things, and when, under the Constitution, the department came to be created, although the provision that each individual Member of Congress should have access to the papers was omitted (evidently for reasons that can now be quite well understood), it was not thought necessary that an affirmative provision should be inserted, giving to the Houses of Congress the right to know the contents of the public papers and records in the public offices of the country whose laws and whose offices they were to assist in creating.

It is believed that there is no instance of civilized governments having bodies representative of the people or of States in which the right and the power of those representative bodies to obtain in one form or another complete information as to every paper and transaction in any of the executive departments thereof does not exist, even though such papers might relate to what is ordinarily an executive function, if that function impinged upon any duty of function of the representative bodies.

A qualification of this general right may under our Constitution exist in case of calls by the House of Representatives for papers relating to treaties, etc., under consideration and not yet disposed of by the President and Senate. The committee feels authorized to state, after a somewhat careful research,

that within the foregoing limits there is scarcely in the history of this Government until now any instance of a refusal by a head of a Department, or even of the President himself, to communicate official facts and information, as distinguished from private and unofficial papers, motions, views, reasons, and opinions, to either House of Congress when unconditionally demanded. Indeed, the early journals of the Senate show great numbers of instances of directions to the heads of Departments, as of course, to furnish papers and reports upon all sorts of affairs, both legislative and executive.

The instances of requests to the President and commands to the heads of Departments by each House of Congress from those days until now for papers and information on every conceivable subject of public affairs are almost innumerable, for it appears to have been thought by all the Presidents who have carried on the Government now for almost a century that, even in respect of requests to them, an independent and coordinate branch of the Government, they were under a constitutional duty and obligation to furnish to either House the papers called for, unless, as has happened in very rare instances, when the request was coupled with an appeal to the discretion of the President in respect of the danger of publicity, to send the papers if, in his judgment, it should not be incompatible with the public welfare.

Even in times of the highest party excitement and stress, as in 1826 and 1844, it did not seem to occur to the Chief Executive of the United States that it was possible that any official facts or information existing, either in the Departments created by law or within its own possession, could, save as before stated, be withheld from either of the Houses of Congress, although such facts or information sometimes involved very intricate and delicate matters of foreign affairs as well as sometimes the history and conduct of officers connected with the administration of affairs.

Mr. BACON. That is as strong a statement, I think, as could be made upon the question, and I desire to repeat in this connection, as Senators have asked who were the Senators who signed the minority report, evidently thereby intending to place in opposition to the utterances in this report the opinions of such eminent men as George, and Pugh, and Vest, and others whose names I do not now recall—

Mr. MITCHELL. I will give the Senators the names.

Mr. BACON. Very well.

Mr. MITCHELL. James L. Pugh, Richard Coke, George G. Vest, and Howell E. Jackson.

Mr. BACON. Yes; Jackson, afterwards judge of the Supreme Court.

Mr. MITCHELL. Afterwards judge of the Supreme Court.

Mr. BACON. As their names are invoked, I repeat the statement, amply verified by inspection of their report, that they most fully and completely recognize the right of the Senate to call for any paper or document, peremptorily and not within the discretion of the President to refuse, which related to a matter within the jurisdiction of the Senate. The only question made between the minority report and the majority report was whether or not the discretion was in the President to say that it was not in the jurisdiction of the Senate, or whether the Senate must determine for itself whether it was in the jurisdiction of the Senate.

Mr. BEVERIDGE. Mr. President—

Mr. BACON. Will the Senator from Indiana pardon me for a moment?

Mr. BEVERIDGE. Certainly.

Mr. BACON. The Republicans contended that the question as to whether or not a matter was within the jurisdiction of the Senate was for the determination of the Senate. The Democrats contended, on the other hand, that the question whether the matter was within the jurisdiction of the Senate or without the jurisdiction of the Senate was a matter for the determination of the President. That was the narrow line of division between them, and I will read, when I reply to whatever the Senator from Indiana [Mr. BEVERIDGE] may desire to say, from the minority report to that effect.

Mr. BEVERIDGE. The close of the extract which the Senator just had read I understood incorporated the provision concerning compatibility with the public interest. Do I understand the Senator to say that that committee's report supported the proposition that the Senate had the right, as of right, to ask for any papers, whether or not the sending of them was compatible with the public interest?

Mr. BACON. Yes, sir; I do. I mean to say this: That in the report and the debate from which I am going to read—and I am glad the Senator will be present to hear it read—

Mr. BEVERIDGE. I will, if I can be.

Mr. BACON. The position is distinctly taken that the question as to whether or not it is a matter proper for Congress to ask for or for the Senate to ask for is a matter for the Senate to determine, and not a matter for the President.

Mr. BEVERIDGE. Would it interrupt the course of the Senator's argument if at this particular point I suggested a question or two? If so, I will defer them.

Mr. BACON. I will endeavor to answer them now, unless I am going to answer them in the course of my argument. I will hear the question, however.

Mr. BEVERIDGE. I will ask the Senator whether it is his opinion that the President ought in any case to send papers to the Senate the sending of which is not compatible with the public interest?

Mr. BACON. The reply which I will make now, although I intended to advert to it later, is this: It is not to be assumed that the Senate of the United States, whenever its attention is called, with proper reasons given, in response to an inquiry, that there would be objection to the communication, would insist upon it. But to recognize the proposition that the President must determine it and simply end the matter by the reply that it is incompatible with the public interest to communicate the desired information is to yield the whole question and give the whole power to the President.

Mr. BEVERIDGE. Mr. President—

Mr. BACON. And, if the Senator will permit me, the debate from which I am going to read is one in which that was the distinct proposition negatived by George F. Edmunds, GEORGE F. HOAR, William M. Evarts, Mr. Logan, the distinguished Senator from Wisconsin now present, and others.

Mr. BEVERIDGE. I shall not ask the Senator any further questions, because I want to listen to his argument, but I call his attention now, so that perhaps he may elucidate the point, to this fact: The proposition he has now arrived at and the dilemma into which it seems to me the Senator is drifting is that it is a question for the Senate to judge and not for the President to judge whether or not papers asked for are compatible with the public interest, and if that proposition be admitted it sends all papers of every kind to the Senate.

Mr. BACON. Yes.

Mr. BEVERIDGE. And therefore destroys in advance the question of their compatibility or incompatibility with the public interest.

Mr. BACON. Absolutely.

Mr. BEVERIDGE. Then the question does not exist.

Mr. BACON. In other words, the power is in the Senate to see any paper which it may determine it should see, if it relates to a matter which—

Mr. BEVERIDGE rose.

Mr. BACON. The Senator will pardon me.

Mr. BEVERIDGE. Yes.

Mr. BACON. If it relates to a matter of which the Senate has properly jurisdiction. The practical operation of it is not that there shall be any exposure of papers which the public interest might not justify the exposure of, but that in a proper way the matter will be brought to its attention, and the assumption being that when reasons are given to the Senate it will not insist upon it. But the President himself can not shut the door to any Department and say that the Senate, or the House either, shall not have access to any paper which relates to a governmental matter.

Mr. BEVERIDGE. Mr. President—

Mr. BACON. If the Senator will pardon me, I stated in the beginning that I was going to base the contention I made here not upon what I personally would say, but upon the elaborate arguments in a previous debate. I can only read a part of them, and I commend to the Senator the careful reading of the entire debate, because it is a most able and instructive one by men among the ablest who ever sat in this Chamber. Therefore I proceed with the reading of what learned Senators on that occasion said in this Chamber.

I will begin with what my learned and distinguished friend, the Senator from Wisconsin, said on that occasion, because he bore no insignificant part in that debate among the Titans, and there is no word uttered by the learned and distinguished Senator in that debate which he should wish to retract and no word uttered by him of which he should not now be proud; and, I will say further, no word uttered by him—I am speaking now as to arguments; I do not mean as to any personal references which may have been indulged in—of which I do not personally approve and to which approval I have not heretofore given utterance in this Chamber when a similar question was under debate.

Mr. President, in the beginning I desire, in order that what the Senator has said to-day semifacetiously as to the ingenuousness and candor of Senators on this side of the Chamber, may be recognized as having been uttered by him in the utmost seriousness, to ask that we may be accorded on this occasion the same credit for sincerity which he claimed for himself upon that occasion. That was a time when there was a Democrat in the White House and when there was a Republican majority in this Chamber, and in the outset the learned and distinguished Senator from Wisconsin used the language I will quote from the seventeenth volume of the CONGRESSIONAL RECORD, part 3, Forty-ninth Congress, first session, page 2487. The Senator from Wisconsin said—

Mr. TILLMAN. The present Senator from Wisconsin—the sitting Senator from Wisconsin?

Mr. BACON. The present very learned, able, and distinguished Senator whom we all so delight to honor; and as we admire and delight to honor both of the Senators from Wisconsin, I will say

the senior Senator from Wisconsin. He began his speech in this way:

I make no attempt to disguise the fact, or to apologize for it, that the fortunes of the Republican party are very dear to me and that I wish that party, here and elsewhere, to reap every fair partisan advantage which may be taken from the blunders and from the shortcomings, if any such there are or shall be, of this Administration. But I trust I do not forget, and shall not forget, that I am a Senator of the United States as well as a Republican, and that as a Senator my first duty always is to the people, and that I have no right to take action here to subserve a party interest which would be harmful to the interests of the people.

Therefore the very learned and able argument of the distinguished Senator upon that occasion is not in any manner to be imputed to him as one influenced by a desire for partisan advantage, but as an argument delivered by him then, as now, recognized as one of the foremost constitutional lawyers of the United States, and therefore, delivered under such circumstances, the more entitled to consideration and approval by those who now have occasion to advert to it. The particular thing I had in mind in reading that is to ask that we also in the present debate may be acquitted of partisan purposes.

The Senator from Wisconsin proceeded to say:

I deny for myself, and I have authority to deny for every Senator upon this side of the Chamber, the statement so often made on the other side that we desire, or are willing, to harass, hamper, or embarrass the President in the proper exercise of Executive functions.

Will Senators accord to us at this time such equality of sincerity of purpose as that which was then claimed for himself by the honorable and distinguished Senator from Wisconsin?

Such a motive would be unworthy and should not be so lightly imputed.

I commend the language to the Senators on the other side, not to the Senator from Wisconsin, because he has not imputed, in so far as I have heard, but others have.

The principle involved in this controversy—

And it is this principle and the gradual recognition of the gravity of it that cause me to address the Senate at this time—

The principle involved in this controversy to my mind is far above the question as to who shall hold the offices in the country.

Mr. President, with that very high platform erected by the Senator and with himself thus voluntarily placed upon it, he addressed himself to the argument of this great constitutional question, because while it may seem to be a comparatively slight matter, so far as the pending resolution is concerned, it is a great constitutional question whether or not any officer of the Government, be he President or a subordinate, has a right to shut the doors in the face of Congress as to any information desired by it in the discharge of its duties. In the practical workings of the departments of this Government and in the proper and efficient performance of duties by Congress and in the exercise of the legitimate powers of Congress there can be no greater constitutional question than that; and once conceded as a power belonging to the Executive, there is no limitation to the extent to which that power can be carried and exercised.

Now, the Senator from Wisconsin knows I can not read the whole of his speech. I wish I could. I will say that it would not be necessary that I should myself say another word if I could, in support of my contention, read the whole of it. In the course of it he uses this language:

Look at the bald case as it stands before the Senate and before the people, unaided by the message which the President sent upon the same subject and which is in some sense an additional statement of fact. The Senate calls for certain papers, filed within a given period in a public department, touching the management of a public office. An executive officer of the United States, recognizing the fact that the papers are in his custody, not denying for a moment their existence, says to the Senate, by direction of the President, that "it is not considered that the public interest will be promoted by a compliance with said resolution and the transmission of the papers and documents therein mentioned to the Senate in executive session."

Mr. President, I will suspend the reading parts of the Senator's speech for a moment for the purpose of reading the resolution which was reported by the Judiciary Committee of the Senate, and also reading the reply which was sent by the executive department to the Senate, in order that the Senate may have distinctly the issue before it which was made. On January 25, 1886, the Judiciary Committee reported to the Senate the following resolution for its adoption. Now, here is the resolution:

Resolved, That the Attorney-General of the United States be, and he hereby is, directed to transmit to the Senate copies of all documents and papers that have been filed in the Department of Justice since the 1st day of January, A. D. 1885—

And not theretofore—

in relation to the management and conduct of the office of district attorney of the United States of the southern district of Alabama.

That being called for because of the fact that the President had sent in the name as a nominee to fill an office and had removed the district attorney, and the Senate desired to know whether or not he had removed him for good cause before they would proceed to the consideration of the nomination. Therefore they called for all the papers which had been there for a year before the occurrence, and on the following day that resolution was

adopted, to wit, on the 26th day of January. On the 1st day of February thereafter the Senate received the following communication in response thereto:

DEPARTMENT OF JUSTICE,
January 28, 1886.

It seems that was the date of the communication, and the document was received here on the 1st day of February.

DEPARTMENT OF JUSTICE,
January 28, 1886.

The President pro tempore of the Senate of the United States:

I acknowledge the receipt of a resolution of the Senate adopted on the 25th instant in executive session, as follows:

"*Resolved*, That the Attorney-General of the United States be, and he hereby is, directed to transmit to the Senate copies of all documents and papers that have been filed in the Department of Justice since the 1st day of January, A. D. 1885, in relation to the management and conduct of the office of district attorney of the United States of the southern district of Alabama."

It thus quotes the resolution and then proceeds:

In response to the said resolution the President of the United States—

This is not the reply of the Attorney-General. He is speaking for the President of the United States—

In response to the said resolution the President of the United States directs me to say that the papers which were in this Department relating to the fitness of John D. Burnett, recently nominated to said office, having been already sent to the Judiciary Committee of the Senate, and the papers and documents which are mentioned in the said resolution, and still remaining in the custody of this Department, having exclusive reference to the suspension by the President of George M. Duskin, the late incumbent of the office of district attorney of the United States for the southern district of Alabama, it is not considered that the public interest will be promoted by a compliance with said resolution and the transmission of the papers and documents therein mentioned to the Senate in executive session.

Very respectfully, your obedient servant,

A. H. GARLAND,
Attorney-General.

Now, Mr. President, there was the square issue made, not by the Attorney-General but by the President of the United States, that in his judgment the public interest would not be promoted by having the Attorney-General comply with the resolution. In other words, the President of the United States assumed to judge, and did judge, that it was not incumbent upon him to comply with the demand of the Senate, and the square issue made by the majority of the Senate, in which I say now and I have said heretofore I think they were right, was this: Shall the President have a right to judge whether or not it is to the public interest that the Senate shall have the papers, or shall the Senate judge, and shall the President have the right under that judgment, if exercised by him, to close the door of the Department of Justice or of any other Department and say to the Senate, "In my judgment you have no right to enter and to know what is here?"

Mr. President, I am tempted to proceed with that line of argument, but I will not, because I started to read the argument of the Senator from Wisconsin, which is far superior to anything I can say. I repeat the last sentence which I read in order to have the connection of the Senator's speech:

An executive officer—

This is the speech of the Senator from Wisconsin from which I read—

An executive officer of the United States, recognizing the fact that the papers are in his custody, not denying for a moment their existence, says to the Senate, by direction of the President, that "it is not considered that the public interest will be promoted by a compliance with said resolution and the transmission of the papers and documents therein mentioned to the Senate in executive session."

Quoting the reply. Then the Senator proceeds:

Is it to be admitted that a Cabinet officer, even by direction of the President, shall be at liberty to refuse to transmit any papers to the Senate in executive session unless satisfied that the purpose for which the Senate desires them is one which in his opinion is wise and proper? Is it to be assumed by an executive officer or by the President that because a nomination is pending in the Senate of a person to fill an office that the Senate may not in executive session lawfully call for the papers filed in a Department touching the conduct of that office?

If Burnett had been confirmed and Duskin had been thereby removed, could the Senate be denied the production of the papers mentioned in the resolution? Even though called for in executive session, who will so contend? Does the fact that the nomination was pending change the character of the papers or the Senate's power to demand and its right to receive and inspect them?

If George M. Duskin were still in office, discharging the duties and functions of the position, and the Senate in open session or in executive session should pass this resolution calling for those papers, would the Attorney-General or would the President hesitate for one moment to transmit them? Suppose the House of Representatives had passed the resolution instead of the Senate, upon what theory could the Attorney-General, either of his own motion or upon the direction of the President, refuse to transmit them?

It has always been supposed that either the House of Representatives or the Senate had plenary power to investigate the Departments, had abundant authority to examine the Cabinet officers, even to bring them before the committee, with all papers in the office which would tend to show its condition, and the manner in which it had been conducted. It may be done in order to expose corruption; it may be done in order to uncover defects in the organization of a Department; it may be done in order that Congress obtain the information essential to the application of a corrective by new legislation. Such power in great fullness must of necessity exist, to be exercised under varied conditions and circumstances and with many different purposes.

Is this not the attitude? The President, not denying that there may be circumstances under which either the House or the Senate would be entitled

to such papers, to demand them and compel their production, assumes that they are wanted for a purpose which in his judgment is not within the jurisdiction of the Senate.

The Senate will mark that the Senator comes directly to the issue as to whether or not the President has the right to assume that.

If for any purpose within the power of the Senate it can direct under any circumstances the Attorney-General, or any other Cabinet officer, to transmit to the Senate papers touching the conduct of a particular office, then it is essential to the orderly conduct of the Government that the executive officer should assume that the papers are desired for a legitimate purpose. Or has it come to this, that the Senate or the House demanding the production of papers, which either may rightfully demand for some purpose, must go with Eastern salamm to the Department door, bound to disclose, first, to the Attorney-General or the President, the precise purpose for which the papers are desired, under penalty of not receiving them at all?

How would it look, in response to a resolution adopted by the Senate asking that the Attorney-General or the Secretary of the Interior transmit to the Senate papers like these, in their very nature official, relating to the transaction of the public business, for the President to transmit to the Senate a message of this nature: "If you desire these papers you must first indicate to me the purpose for which you desire them, and if after having disclosed that purpose I think they are within your jurisdiction, and that the purpose to be subserved is a legitimate purpose, I shall transmit them; otherwise not?"

The Senator asks how it would do for the President to transmit such a message as that, and he continues:

Would that be in effect any different from this response of the Attorney-General? Would it not be humiliating? Would it be anything less than a one-man government? Would it do anything less than enable the President of the United States to shut out at his will the sunlight of investigation from all the public offices? Must the Senate, must the House—because if he may require the performance of that precedent condition of the Senate he may of the House—first advise him of the purpose and submit to his judgment as to whether it is a legitimate one?

The resolution interprets itself, and relates upon its face to papers which no man can deny are in their nature public. The President by a message, as to the propriety of which I have nothing to say, tells us, not that there are no such papers on the files, but that there were other papers filed during that period which he considers private and confidential papers.

I shall spend little time in discussing the question in the abstract as to what constitute private and confidential papers in distinction from public papers to which the Senate or House has the right of inspection. I concede, of course, that there may be addressed to the President, and doubtless are, many papers which are confidential.

No one questions that; but I deny that papers addressed to a head of a Department or to the President of the United States touching the conduct of an officer of such a character that they may be properly acted upon by either the head of the Department or the President, proper to be placed on the files of the Department, relating to the transaction of the people's business in one of the people's offices, can by any magic become the private and confidential and secret papers of the President himself.

Now, Mr. President, it is true that there the distinct question was as to whether Congress or the Senate should judge whether its motive was a legitimate one or whether the President should judge whether it was a legitimate one. But it matters not as to what question is raised, under the argument and under the reasoning of the argument, whenever there is any objection on the part of the President as to the disclosure of information which is desired, the question is one to be determined by the Senate and not by the President, because if the President can in the one case say, "In my opinion you have no right to have this information," he can say it in all cases, and it is within the power of the President of the United States, in his discretion and for any reason deemed by him to be sufficient, to absolutely shut up and hermetically seal every door of every Department of the Government.

The Senator continues, and I am sorry to have to omit any of it, because it is all strong and directly to the point. On the same page from which I last read—and I call the attention of my learned friend—

Mr. SPOONER. Will the Senator kindly give me the page?

Mr. BACON. Yes, sir; I have given it already, and I will give it again. Page 2488, March 18, 1886. The Senator said as the conclusion of that branch of his argument:

I assert now the proposition that the Senate has a right to obtain of a Cabinet officer upon demand, and of the President upon request, such information to enable it to act intelligently upon the question as to whether it will advise and consent to a proposed removal.

And yet it is sought to differentiate such a power from the other power of the Senate as to whether or not it has, in the language of the learned Senator, the right to obtain from the President, upon request, information to enable it to act intelligently upon the question as to whether or not it would advise and consent to the ratification of a treaty. If he can differentiate as to the two it will be but another evidence of the versatility and ability of the distinguished Senator.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Georgia yield?

Mr. BACON. I yield to the Senator.

Mr. TILLMAN. I wish to suggest to the Senator from Georgia that the history which he has been reading is so interesting that it recalls the old fable about the bull and the ox.

Mr. BACON. I will say to the Senator that I have had that in mind, but not being a happy raconteur I did not venture upon its narration. I will allow him to go ahead.

Mr. TILLMAN. It appears to be very clearly proven that if a Democratic President gets up a tree the Democratic dogs bark at all intruders, and when a Republican President gets up a tree it is the same old thing; and we appear to occupy positions on constitutional questions of this character according to the exigencies and necessities of our parties.

Our friends on the other side undoubtedly voted for the contention of the Senator from Wisconsin. Then it would be unreasonable for us to expect them to vote that way now. Would it not? In other words, consistency is a jewel.

Mr. BACON. If the Senator takes issue with me on any point I shall be happy to hear from him. If he is on my side, let me go on.

Mr. TILLMAN. I was trying to illuminate the question. I could not do it as well as the Senator from Georgia or the Senator from Wisconsin; but I was trying to ease my friend from Wisconsin out of the unpleasant attitude of being on both sides of this question.

Mr. BACON. Mr. President, I had not finished what I propose to read from the speech of my distinguished friend. I resume at the particular place where I was reading when the Senator from South Carolina interrupted me.

I hope I may be allowed, in order that the connection may be kept, to read that sentence over again, because the next sentence directly relates to it. I read again that sentence from the Senator's speech:

I assert now the proposition that the Senate has a right to obtain of a Cabinet officer upon demand, and of the President upon request, such information to enable it to act intelligently upon the question as to whether it will advise and consent to a proposed removal.

The Senate will mark that that is not qualified. It is a right to have it, when requested, not conditionally; and the Senator, in full recognition of the fact that that was his meaning, turns to the Democratic Senators and asks this question, referring to the utterance which he has just made:

The Senators on the other side will not, I think, charge that the issue, so far as I am concerned, is not broad enough.

The Senator states it in as emphatic language as his great command of language would permit him, and then emphasizes it by turning to his opponents and challenging them to his statement, that it is as broad as it can be made, and that nobody can find fault with it by reason of its failure to be broad enough.

In other words, Mr. President, the Senator lays down, as broadly as his language will permit him, the proposition that as to anything which relates to the business of the Senate and within the jurisdiction of the Senate the Senate has the right to have it on a request addressed to the President, not a qualified right; and he emphasizes it by the statement that no one can find fault with that statement on the ground that it is not broad enough; and if anybody had challenged him to make it still broader, if he had had it in his power he would have done so, because it was his intention to make it as broad as language would permit.

The Senator then goes on as a lawyer and says this:

Is the proposition sound in law?

That is the great question here to-day.

Is the proposition sound in law? I want no other principle of law to guide me to a conclusion in favor of the right of the Senate to the information upon that theory than is found in the report submitted by the minority of the committee and the message which the President has seen fit to transmit. I call the attention of the Senate to the statement of the law in the report submitted by the minority of the Judiciary Committee. It is very guarded and very advisedly made, and is sufficiently broad and accurate for the purposes for which I desire to use it.

Then the Senator proceeds to quote from the minority report:

"The minority admit"—

Reading now from the minority report—

"The minority admit, once for all, that any and every public document, paper, or record"—

The Senator from Wisconsin then reading that report interjects this language:

Note this, if you please—

"on the files of any Department, or in the possession of the President, relating to any subject whatever over which either House of Congress has any grant of power, jurisdiction, or control under the Constitution, is subject to the call or inspection of either House for use in the exercise of its constitutional powers and jurisdiction."

There spoke Pugh, and George, and Jackson, and Vest, and Coke. Continuing to read from the minority report:

"It is on this clearly defined and well-founded constitutional principle that, wherever any power is lodged by the Constitution, all incidents follow such power that are necessary and proper to enable the custodian of it to carry it into execution. Whether the power is granted to Congress, or either House, or to the President, or any Department or officer of the Government, or to the President by and with the advice and consent of the Senate, the principle is as fundamental as the Constitution itself that all the necessary incidents of such grants accompany the grants and belong to and can be exercised by the custodians of such powers, jointly or severally, as they may be vested by the Constitution."

"It is on the application and enforcement of this unquestioned rule of construction that either House of Congress has the right inherent in the power

itself to direct the head of any Department or request the President to transmit any information in the knowledge of either."

Then the Senator from Wisconsin again interjects the words:

Note that—
"or any public or official papers or documents, or their contents, on the files or in the keeping of either, provided such papers or documents relate to subjects, matters, or things in the consideration of which the House making the call can use such information, papers, or documents in the exercise of any right, power, jurisdiction, or privilege granted to Congress, or either House, or to the President by and with the advice and consent of the Senate."

That is the end of the part of the minority report which was then read in that speech by the distinguished Senator from Wisconsin, and then he resumed. The Senator from Wisconsin said:

Here, in a lawyer-like way, and in a bold way as lawyers ought to state their case, the minority, without shuffling or technicality, place the question upon this proposition: If the Senate of the United States has any jurisdiction over the subject-matter to which papers relate, or to which information in the hands of a Department officer or in the hands of the President relates, then they say unqualifiedly, and it would seem to be unmistakable law, the Senate has a right to the inspection of such documents and a right to elicit such information. The President, placing it upon a little different ground, recognizes the same principle, and in doing this he only follows the example of Washington in somewhat the same language upon the same subject, and of every Executive from Washington down, thus—

Quoting now from Mr. Cleveland—

"To the end that the service may be improved, the Senate is invited to the fullest scrutiny of the persons submitted to them for public office, in recognition of the constitutional power of that body to advise and consent to their appointment. I shall continue, as I have thus far done, to furnish, at the request of the confirming body, all the information I possess touching the fitness of the nominees placed before them for their action, both when they are proposed to fill vacancies and to take the place of suspended officials."

After reading that the Senator from Wisconsin said:

Why? Because under the Constitution the Senate is a factor in the act constituting, on the whole, the appointment of the officer; because, in the language of the minority of the committee, the Senate, under the Constitution, has jurisdiction over "the subject-matter."

Mr. President, as I say, I regret very much that I can not read the whole speech of the Senator; but on a subsequent occasion, on the 19th of March, the next day, as will be found on page 2529 of the CONGRESSIONAL RECORD, the Senator from Wisconsin, in a discussion of the same resolution, uses this language:

Possessing, therefore, the right to call for papers and information from the executive department of the Government necessary to enable the Senate to discharge with fidelity and intelligence its duty under the law in the matter of removals, it can not forego that right when in its opinion its exercise is necessary.

There is the distinct issue made, and there is the distinct proposition so clearly announced by the Senator from Wisconsin. In other words, it can not submit to the statement of the President of the United States that, in his judgment, it is not a matter for the Senate but a matter for him to determine; that the Senate "can not forego the exercise of this right;" that it will not admit and can not acknowledge the right of the President to say that it is not entitled to the papers; but that the Senate will insist upon and maintain its rights. That is the language, or rather the substance, the meaning, of the language of the Senator from Wisconsin.

He continues:

It can not suffer, by its acquiescence, the principle as to papers, now asserted by the executive department, to grow into precedent. It is not a question of etiquette, nor is it a question of politics. It is very far above either.

The Senate has no right to trench upon the prerogative or powers of the Executive. The maintenance, sacred and inviolate, of the prerogatives of the three great coordinate departments of the system under which we live, as the fathers framed it, is essential to the permanency and success of our Government. Neither should be permitted to trench upon the other, and neither may permit any impairment, through aggression or concession, of its constitutional faculties and prerogatives.

By which the Senator certainly meant to say that one of the prerogatives of the Senate was to determine for itself what papers it required, and that it would not forego or surrender that prerogative to the Executive.

The Senator from Wisconsin continued:

The Senate can not yield the principle that in any case or under any circumstances the files of the Departments, evidencing the conduct of public offices, shall be secret from the inspection, or that any paper or letter bearing upon the conduct of a public office, placed upon the files of any Department, or in custody of any executive officer, and which ought to be placed upon the file of any Department, can, at the will of anybody, even though it be the President, become personal and subject to removal or destruction.

Mr. President, the language of the Senator there was directed to the particular subject-matter under consideration, but the reasoning and the language will embrace all matters in an Executive Department, and asserts, as the prerogative of the Senate, and also of the House of Representatives—not the Senate exclusively, except as to matters within its exclusive or peculiar jurisdiction—asserts the right of either House of Congress in a matter in which it has jurisdiction to enter into any executive office; to see anything that is in it; to ask no man's permission to do so, and to receive from no man a denial.

Mr. President, I am glad this question has come up. I sat here

yesterday and heard the message from the executive department responding to a resolution introduced by the Senator from Tennessee [Mr. CARMACK] calling for certain information, in which the Senate was told that, in the opinion of the Executive, it was not a proper matter to be sent to the Senate.

Mr. KEAN. Has the Senator from Georgia read the message of the President of the United States?

Mr. BACON. I only heard it read.

Mr. KEAN. If the Senator would read the letter of the Secretary of the Treasury accompanying the message, I think he would find a very good reason given for the declination to furnish the information.

Mr. BACON. I do not care what the reason is.

Mr. KEAN. It is a very good one.

Mr. BACON. If the request by the Senate was not qualified, and was made in the discretion of the Department or of the President, it matters not what the reason is which is assigned for refusal. The reason can properly be conveyed to the Senate before final action is taken upon the demand of the Senate. If there is a good reason, it is perfectly proper that the President should send to the Senate a communication in confidence, that for such and such reasons he asks that the demand shall not be insisted upon. Can anybody doubt that, if any proper reason is given in such a case, the Senate will not respect a suggestion of that kind?

But to refuse is to deny; it matters not whether it be for a good or a bad reason, the power to refuse is the thing; and if the President has the power to refuse, he has the power to refuse for a bad reason as well as for a good one; and when he refuses, it matters not what is the reason, good or bad, he has, in my opinion, violated the law and invaded one of the highest prerogatives of Congress, which is to know everything that relates to this Government—everything; and if there was another word that was more comprehensive than that, I would use it. So it matters not, Mr. President, whether the reason be good or bad. If there was a good reason why the information should not be given to the Senate, the proper course would have been, through the proper officer, to have communicated to the Senate that such a demand had been made, and then—

Mr. KEAN. But, Mr. President, that is just what the President did; and if the Senator from Georgia will read what the President says, he will find it out.

Mr. BACON. But the Senator did not hear me through. I say that the proper action to take was to communicate in a proper way to the Senate that such a demand had been made, and to say that for such and such reasons, whatever they may be, in the opinion of the President it would be unwise to furnish the information, and to ask the Senate not to insist upon it; but when he assumes that, in his judgment, that reason is sufficient, and refuses without more, it matters not whether it is good or bad, sufficient or insufficient, he can control it. So I say, Mr. President, that if you admit his right in his judgment, upon what he may consider to be a good reason, to shut the door of a Department, the power is unlimited to shut that door upon any judgment or any reason which he may deem to be sufficient.

Mr. President, that is the exact point that was involved in the great debate of 1886 in this Chamber; that was the exact point at issue, and the only point at issue. It was maintained with great power and ability, and I think with conclusiveness of argument on the part of the Republicans, that the President did not have that right; and in the language of the Senator from Wisconsin, which I have read, it was vigorously contended that it was the high prerogative of the Senate and that the Senate would not forego it at the behest of any man, be he even the President.

Mr. MITCHELL. May I ask the Senator a question?

Mr. BACON. Certainly.

Mr. MITCHELL. Does the Senator from Georgia draw any distinction between the two cases: In one case where papers are called for bearing upon the question of the removal of a man from office and, in the other case, where papers are called for in connection with the consideration of a treaty?

Mr. BACON. None whatever, because the principle is absolutely the same.

Mr. MITCHELL. Then the Senator does not agree with the position taken by President Cleveland.

Mr. BACON. I certainly do not, and I am unqualified in agreeing with what was said on that occasion by distinguished Republicans in the debate.

Mr. MITCHELL. One other question. The Senator has stated that that was the only question discussed at that time. There was another question, and a still more important one in my judgment, which was reported by the Judiciary Committee, discussed at length, and passed upon, and that was what action should be taken in the event of the Senate of the United States calling upon the President of the United States to send papers to the Senate—for instance, it may have been in the consideration of an appointment—and the President refused to send the papers. The posi-

tion of the Republican party at that time was that it was the duty of the Senate to stop business, to refuse to consider appointments, and there was quite an extensive controversy over that matter. Now, I want to ask the Senator from Georgia: Suppose the President is called upon for papers and declines to submit them, what is the remedy?

Mr. BACON. There is none.

Mr. MITCHELL. Is there any remedy except by impeachment?

Mr. BACON. None whatever; nor is there any remedy for any dereliction of duty by the President save only that. But that does not answer the question; that does not meet my proposition at all.

Mr. GALLINGER. Mr. President, the Senator, I think through inadvertence, has twice said within the last few minutes that the Senate had made a demand on the President. The Senate always requests the President.

Mr. BACON. In this case I will state to the Senator that I am not incorrect in the use of language, for the reason that I was discussing a resolution which had been adopted by the Senate, which was a direction to the Attorney-General, and which was replied to by the Attorney-General in the name of the President, so that it was a demand in that case. But in all of the debate to which I have referred all the Senators spoke of it as a right to demand or direct a subordinate officer, and a right to receive information on a request to the President, and a right which they would not forego.

Mr. GALLINGER. What has puzzled me somewhat as a layman is to differentiate between the demand upon a Cabinet officer and a request made to the President. It has seemed to me that the fact that we request the President carries with it the presumption that he may decline to accede to our request.

Mr. BACON. Not at all. The Senator will pardon me if I reply in the language of the Senator from Wisconsin [Mr. SPOONER] in that regard.

I should like to quote him as to all these matters, and I will return to what I have already read, in order that I may reply, in much more felicitous language than I can command, to the inquiry of the Senator from New Hampshire [Mr. GALLINGER]. The Senator from Wisconsin has been discussing what is the right of the Senate; and he said it is the right of the Senate to receive this information upon the request of any officer, even if it be the President.

Now, if it is right, of course it is not a matter subject to qualification; it is a right which the Senator says it "can not forego"—using that language. I will now read again the last sentence which I read from the speech of the Senator from Wisconsin:

The Senate can not yield the principle that in any case or under any circumstances—

That is certainly pretty broad language—

The Senate can not yield the principle that in any case or under any circumstances the files of the Departments, evidencing the conduct of public offices, shall be secret from the inspection, or that any paper or letter bearing upon the conduct of a public office, placed upon the files of any Department, or in custody of any executive officer, and which ought to be placed upon the files of any Department, can, at the will of anybody, even though it be the President, become personal and subject to removal or destruction.

Or subject evidently, according to the context, to the refusal of the President to communicate it to Congress.

Mr. GALLINGER. If the Senator will permit me, that is certainly very strong and direct language; and if we are to accept that as the correct doctrine, then I apprehend that the phraseology that we request the President, "if not incompatible with the public interest," is a mere matter of courtesy. Is it?

Mr. BACON. Not altogether so. There are many instances where the Senate has used that language because they did not think it of vital importance that they should obtain the information; but I think, as a matter of courtesy, it should always be introduced except in a case of extreme urgency.

I do not know that the Senator from New Hampshire heard what I said in the outset of my remarks, that I am not discussing this question so much with reference to this particular resolution, because I have no doubt that, under the assurances already given, the President will furnish us with all that is required, but that the announcement had been made on the other side of the Chamber to-day that as to whether or not the President should respond to any request the Senate might make of him was a matter within his discretion, and I cited the Senate to the fact that on yesterday, in response to a resolution previously sent by the Senate directing one of the officers or the head of one of the Departments to send certain information here, we had had a communication from the President that, in his judgment, it was a matter which ought not to be communicated to the Senate.

As I just said in replying to the Senator from New Jersey [Mr. KEAN], it matters not whether the reason which the President gave was a good one or a bad one, if he has got the right to exercise his judgment as to whether it is good or bad, and to act upon that right when a direction is thus given by the Senate to the head of a Department, then he has the right unqualifiedly in every

case to say "no" to any request that may be made for the communication of any information needed by the Senate. That is the proposition which I make, and which I say has been so ably maintained, not by me, but by the distinguished Republican Senators whose names I read. I do not think the Senator from New Hampshire was in the Chamber at the time, but I mentioned the names of George F. Edmunds, GEORGE F. HOAR, William M. Evarts, John J. Ingalls, and Samuel J. R. McMillan, of Minnesota.

Mr. GALLINGER. I will say to the Senator, if he will permit me, that I have been listening with great interest to his very able address, but I was unavoidably called from the Chamber in the transaction of public business and did miss a portion of his speech, which I regret.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from South Carolina?

Mr. BACON. I should like to proceed with my remarks, but I yield.

Mr. TILLMAN. I want to suggest to the Senator from Georgia, who has illuminated this subject so fully, an inquiry along this line: Whether there is not a difference between a request for information conveyed in the usual courteous language—"if in his judgment not incompatible," etc.—calling for relatively unimportant information, and a resolution calling for information of much moment. Might there not be some things which the President would feel warranted in sending to us to go into the RECORD or to become public property, and some which he would not feel warranted in sending to us unless it was in the nature of a secret communication, which would be for our information alone?

Does the Senator not differentiate in that particular? Then, if in the judgment of the Senate it was still desirable and necessary that it should have the information, I agree with him entirely—it would have the right to demand that it be sent in confidence. But does not the Senator differentiate between the ordinary courteous resolution of inquiry on matters that are not of very serious moment and those that are vital?

Mr. BACON. I endeavored to suggest that same idea in response to the inquiry of the Senator from New Hampshire.

Now, let me illustrate the orderly way in which this can be done and ought to be done. I will illustrate it by an occurrence during the Spanish war. I introduced a resolution directing the then Secretary of War, the present junior Senator from Michigan [Mr. ALGER], to communicate to the Senate certain information—I have forgotten now exactly what it was—relative to the defenses of the southern coast, where people were apprehensive that they were not prepared to meet the onset which they anticipated. That resolution was sent to the Secretary of War.

If the proceeding for which the Senators on the other side now contend had been adopted the Secretary of War would have gone to Mr. McKinley, and Mr. McKinley would have sent in a message saying that in his opinion it was incompatible with the public interests that that information should be given. That would have been a good reason, but still it would have been an infringement of the prerogatives of the Senate. Instead of that, the proper course was taken. The Secretary of War sent for the chairman of the Military Committee of the Senate, General HAWLEY, and communicated to General HAWLEY the facts which in his opinion would make it imprudent and unwise to communicate that information to the Senate, even in executive session, because it might get to the enemy.

General HAWLEY came to me and explained what the Secretary had said. I recognized at once that his reason was a good one; and as soon as the Senate met I myself moved that the Senate withdraw the request, and it was withdrawn. Can anybody doubt that in any case where there is a good reason for it a similar course would not be taken?

But, Mr. President, while that course is practicable and works no harm, whenever you once set up as a law the right of the President to say peremptorily, "I will not give the information," you give him the right in all cases and under all circumstances to close the door to the inquiries of the Senate; because if he has the power in one case, he has it in all, and the question of its exercise is a question solely in his discretion.

Mr. President, I had no expectation when I rose of occupying so much of the time of the Senate, because I really did not feel physically able to do so, but I want to read a little more of the debate from which I have been quoting.

While the Senator from Wisconsin [Mr. SPOONER] made an argument in that case which is not surpassed in its ability and soundness by that made by any other Senator, arguments upon the same line were made by others of the distinguished men whose names I have mentioned and by some others whom I have not mentioned.

I will read now what Mr. Logan, then a member of the Senate from Illinois, said. He may not have been as distinguished a lawyer as some others whose names I have mentioned, but still I

think he enjoyed the confidence of the people as a man of strong mentality and as a lawyer of ability. Said Mr. Logan, then a Senator from Illinois—and I read from page 2799 of the same volume from which I have been reading:

If the people through their representatives can not have access to the records of the country, on the general theory that they are the source of power, when such records or documents are requested to aid in the performance of a duty incumbent upon them in their coordinate capacity, where is such a theory to carry us if it is followed up?

And that is the important inquiry.

We have been told for years by our opponents that the concentration of power was one of our objects; that our theories as well as the character of our legislation proved this to be the design of our party—

Referring to the Republican party—

that this had been increasing and growing from year to year; that the power of the Government was being placed in the hands of the few; that the people were being stripped of their power day by day.

I should like for any Senator to tell me—

I hope Senators will listen to this language—

I should like for any Senator to tell me what greater concentration of power has been shown during the existence of this Government than the attempt made by the President of the United States to take into his own hands the right to allow or not the people of this country through their representatives to examine public records, documents, and papers as he sees proper. Suppose the man guilty of fraud; suppose he has been guilty of embezzlement; suppose he is charged with any offense; will the President of the United States say, when we send for the papers to examine into the conduct of his office to see how it has been managed because he has suspended this man, the Congress of the United States shall not examine the papers?

Will you say that? Suppose the Senate of the United States organizes a committee of investigation to-day and calls upon the President of the United States, the Attorney-General, the Secretary of the Treasury, the Postmaster-General, or any other head of a Department, for papers in connection with the case either for or against the man accused, will it be said that the Senate of the United States can not have those papers? If so, why refused? Would it be on the ground that they are private documents? Is that the ground?

But, Mr. President, the same argument might be used as to any other information which Congress might need in the conduct of its business. There is no argument which could be used in favor of the right of the Senate to see any paper connected with the question of an office where the incumbent was under investigation, or where inquiry was to be made concerning him, which does not apply with equal force and conclusiveness as to any other subject-matter relating to the Government about which Congress asks information, and there is no reason why the President should be clothed with a power to shut the door for one purpose which would not give him an equal power, if he saw fit to exercise it, for another purpose, and it may be either in the same Department or another Department of the Government.

I will read further from Senator Logan.

Mr. PLATT of Connecticut. What page?

Mr. BACON. Page 2799 of the same volume;

If this theory is to be carried out—

That is, the right of the President to deny access to any paper or any document or any information in one of the Departments—

If this theory is to be carried out, the head of a Department might suppress papers that would convict his friends; he might suppress papers that would convict criminals; he might suppress papers that would convict himself if he be corrupt enough, and this merely upon the ground that they were private papers and could not be given out. Suppose papers charging men with violations of law, charging them with robbery, with theft, with murder, with arson, no matter what crime, came to the Secretary of the Treasury as a letter directed to him making these charges, because the letter is written to him and not officially, but is filed with the papers in the archives of the Government, when the Senate calls on him for those papers he says, "It is a private letter. I shall not give it to the Senate or the Congress of the United States," though on the files.

Would not that be covering up crime under the guise of private papers on the ground that they will not deliver documents to the Congress of the United States that might involve in criminal proceedings some individual who happens to be an official of the Government and friend of the Secretary?

Of course, Mr. President, the same illustration can be used as to any other information which Congress may desire as to any subject-matter about which it wishes information in the discharge of its great and high duty.

There are numbers of other quotations I might make, but I will read from Mr. Evarts, a great constitutional lawyer. This is to be found on page 2742 of the same volume. I will not read the whole of it. I should like to do so, but I will only read the most pertinent part.

That great lawyer, Mr. President, comes down to this distinct question, and it is a great question in the case, as in the case of the difference between the Senate and the President upon the question of the communication of information to the Senate. In that case of difference who is to determine it, the Senate or the President? That is the question which was in that great debate, and one upon which that eminent man made these utterances which I am now to read:

It is said in the first place—

That is, by the opponents—

It is said in the first place, and thus the proposition of the committee is sought to be avoided, that the papers called for can by no means touch any

matter subject to the public action of the Senate. Let us look a moment at that proposition. Who is to determine in the first place that on a topic which the Senate has to do with it has a right to the inspection and use of papers in the Departments, but it has no such right when the Senate can not possibly touch or deal with any subject-matter to which those papers relate? Who is to determine in the first instance that the Senate may or may not explore and make use of papers that are on file? Certainly the Senate is the judge of that.

What does he mean? The question at issue was whether the Senate was the judge when the President desired that information should not be given or whether the President was in that case the judge; and Mr. Evarts says:

Certainly the Senate is the judge of that.

The Senate, as a component part of the legislature represented in Congress, is not of limited jurisdiction. It is not confined to this or that topic. Whatever touches, in the language of one of the clauses of the Constitution, the common defense and the general welfare belongs to the two Houses of Congress. When, therefore, either House under its responsibilities and under the determination of a constitutional majority of votes on any subject in either of these Houses undertakes itself to deal with public documents and papers in the Departments, it deals with what belongs to the Government of the United States for use by the Congress of the United States, and upon its judgment of what its duties, its faculties, and its proposed actions relate to.

Mr. President, could language be more explicit and more comprehensive than that? I repeat it. He says that it acts—upon its judgment of what its duties, its faculties, and its proposed actions relate to.

In other words, it does not act upon what the President may think its duties, its faculties, and its powers may be, but that the Senate is the one to judge what are its faculties, its duties, and its powers, and that all these documents are not the documents of the President of the United States, but of the Government of the United States, and the Senate was entitled to the inspection of each and all, and that it is for it to determine whether the inspection of any paper or the getting of any information is in accordance with the proper discharge of its duties under its faculties and under its powers.

Thus spoke the great lawyer, and I rest upon him and not upon what I may feebly say:

And now for the first time it is found that a preliminary question arises, when the Houses of Congress, one or both of them, have asked for papers on file, that there is a preliminary judgment to be exercised and to be final, and to be under the unlimited range of discretion and of personal judgment of the President, whether or not these papers that are described and exist as on the files or on deposit in the Departments are on the face of them papers that belong to the uses and for the purposes of the duty of the Houses of Congress.

He announces that as a great and startling proposition, and it is a great and startling proposition, and dark will be the day whenever it comes to be recognized as the law of this land that the President of the United States is vested with power to say what papers or what information Congress shall have, and that if the reason, in his judgment, is sufficient he can close the door to that information and say "no" to the demand of Congress.

The learned Senator and great lawyer, Mr. Evarts, continues:

Where is this preliminary line to be drawn? Who is to be patient under it? Who is to look in the face the two Houses of Congress in the illimitable range of their duty, dealing in the matters of the Departments, dealing with the matters there deposited and there preserved for the Government for its uses, for action in reference to the Government, and for no other purpose whatever?

Who is at liberty to sift and cull out of these papers thus deposited, and to be accorded this prejudgment of the action of the two Houses of Congress? Who is to be this arbiter between the Government and the Congress to determine what shall be given and what shall be withheld?

I should like to find votes cast here on the other side of this alley upon that preliminary question.

I will say to the Senator that if I had been here undoubtedly I would have voted with the Republicans on that issue; and, Mr. President, I desire to say, so far as it has been within my power, I have always contended for the prerogatives of the Senate. The first speech I ever made in this Chamber upon that subject was taking issue with a Democratic President when, in my opinion, his action invaded the prerogatives of the Senate. I will read that sentence again:

I should like to find votes cast here on the other side of this alley upon that preliminary question.

He proceeds:

Give us the premises of the powers of the two Houses of Congress under the Constitution that are not disputed here—I mean the general powers—give us the constitution of the Departments; give us the arrangements of law regulating the action of these Departments; give us the fact that the papers we seek for are in the possession of the Department of Justice and the Attorney-General can lay his hand upon them, and then after that a peremptory instruction of the President can follow out these deposits and select from them those that are suitable for the inspection of the Houses; let it be conceded that it is not thus to be arbitrarily, thus capriciously, thus unduly discharged by the President in this preliminary authority; let it be agreed that he means to send to the two Houses all that are useful and pertinent to every public use, how do you by that proposition but advance the most monstrous doctrine under the Constitution—

Listen to this, Senators!—

advance the most monstrous doctrine under the Constitution that the President is the judge of what the duty of the two Houses of Congress relates to, and the further question of what the papers would have to say and to show and to decide whether they were or were not important and interesting to the two Houses of Congress on the very matters that the Congress has authority over.

I could continue those quotations to a very great extent, but I have read enough to show what was the attitude of the Republican party upon that question and what was the constitutional view of these great lawyers who then ornamented this Chamber. I do not feel that I can add to it.

But, Mr. President, there is one matter that this question closely relates to, and that is the power of the Executive and the unlimited power which such a concession would make to him.

Now, as illustrative of that, I want to say that that learned coterie of Senators who made the report of the committee, signed by them individually—George F. Edmunds, John J. Ingalls, William M. Everts, GEORGE F. HOAR, S. J. R. McMillan, and James F. Wilson—were so impressed with the fact that it was the claim of a power which would be most dangerous to the institutions of this Government, that if conceded there was no limit to be set to the Executive power—so impressed were they with that that they not only made this most elaborate and able and luminous report, but they set out as an exhibit the report made to the House of Representatives in the Twenty-seventh Congress, when a similar question was up.

It is called Appendix B, House Report 945, Twenty-seventh Congress, second session. That related to the removal from office of Henry H. Sylvester.

I myself would not as an illustration of the danger of Executive power now bring this report to the attention of the Senate as a warning against the encroachments of Executive power, because, while I might consider it pertinent, I recognize that if I did so, it might be construed as an extreme action on my part and my motive might be misconstrued into an intention to give offense to the Executive.

That purpose I not only disclaim, but say that I would not even venture to have it read, but that it is the report of these eminent Republicans when they were resisting the claim of power by a Democratic President, and in which they were so impressed with the dangers to this Government in the absorption of all power by the Executive that they solemnly set out, as a part of their report, this report made to the House of Representatives in the Twenty-seventh Congress.

I will not burden the RECORD with reading all of it, but I am going to read, not as applicable, I distinctly say, not by inference, but emphatically, in any manner to the present Executive, but simply as the utterance of these great and conservative Republicans as to the danger of unlimited power when wielded by the Executive.

Mr. President, it is a long report, and the whole of it is decidedly interesting, quoting Mr. Webster and others on that subject, but I will read simply an extract from page 17, and I will state that it is in this same document, Report 135, Forty-ninth Congress. I will read an extract on page 17, in which is quoted an extract from a report made by Mr. Benton to the Senate of the United States embracing in part this subject—the question of the absorption of power by the Executive. And I repeat that what I have said to-day is in no manner personal.

I have no special interest in this particular resolution, and if the matter had been limited to this particular resolution I would not have uttered a word, and all that I say is in upholding to the extent of my feeble power the prerogative of the Senate and the House and the denial of the right of the Executive, I care not whether he be a Democrat or a Republican, to say "No," peremptorily and finally, to any demand which may be made upon him by either House of Congress for information as to any matter properly within their jurisdiction and to be used in the discharge of their duty.

Now, with that disclaimer of course I can not be misunderstood in reading this extract. It is simply upon the general question, and in my opinion relates as much to the danger to this Government when one party is in power as when the other is in power:

In 1826 Mr. Benton made a report to the Senate, embracing, in part, this subject, which ought to be carefully read by every American. In that paper we find this powerful passage:

Now I quote from the report of Mr. Benton:

"The King of England is 'the fountain of honor;' the President of the United States is the source of patronage. He presides over the entire system of Federal appointments, jobs, and contracts. He has power over the 'support' of the individuals who administer the system. He makes and unmakes them. He chooses from the circle of his friends and supporters, and may dismiss them, and, upon all the principles of human actions, he will dismiss them as often as they disappoint his expectations.

"There may be exceptions, but the truth of the general rule is proved by the exception. The intended check and control of the Senate, without new constitutional or statutory provisions, will cease to operate. Patronage will penetrate this body, subdue its capacity of resistance, chain it to the car of power, and enable the President to rule as easily and much more securely with than without the nominal check of the Senate.

"If the President himself was the officer of the people, elected by them and responsible to them, there would be less danger from this concentration of all power in his hands; but it is the business of statesmen to act upon things as they are and not as they would wish them to be. We must look forward to the time when the public revenue will be doubled"—

This was in 1826, and of course that proportion has been very largely exceeded—

"when the civil and military officers of the Government will be quadrupled; when its influence over individuals will be multiplied to an indefinite extent; when the nomination of the President can carry any man through the Senate, and his recommendation can carry any measure through the two Houses of Congress; when the principle of public action will be open and avowed—the President wants my vote, and I want his patronage; I will vote as he wishes, and he will give me the office I wish for. What will this be but the government of one man? And what is the government of one man but a monarchy?"

"Names are nothing. The nature of a thing is in its substance, and the name soon accommodates itself to the substance. Those who make the President must support him. Their political fate becomes identified, and they must stand or fall together. Right or wrong, they must support him, etc."

Then this report goes on to say:

All this was prophecy then. It is now history.

Mr. President, I must apologize to the Senate, for I recognize that it is due it for having occupied so much of its time; but I agree with what was said by the Senator from Wisconsin in the former debate, that it is a most serious and grave question, one, according as it may be finally determined, very fundamental and far-reaching in its consequences, and for these reasons I have ventured, while taking some part of the time in my own argument, to call the attention of the Senate and the country somewhat at length to the arguments of the distinguished Republican Senators whose speeches I have read in part out of the RECORD.

Mr. SPOONER. Mr. President, the Senator from Georgia [Mr. BACON] has addressed so much of his observations to me and to what I have said—

Mr. BACON. I hope the Senator from Wisconsin will pardon me for correcting him.

Mr. SPOONER. Yes.

Mr. BACON. I have not directed any of my arguments to him. I simply used what he had said on a former occasion as presenting the argument more strongly than I could.

Mr. SPOONER. I wish to make a brief reply to the Senator from Georgia.

The statesman of the old day who prophesied that this would get to be a one-man Government made a prophecy which has not been fulfilled and which, I think, never will be fulfilled. I have no fear of any Executive encroachment upon the Senate or the House. So far as my knowledge of public affairs goes, the Executive has always, with perhaps here and there an exception, treated Congress, and each branch of Congress, with respect and courtesy.

If there has been at any time any want of courtesy in—I will not say by, but in—one branch of the Government toward another, it has been in the Congress toward the President, not in any utterance of the President concerning Congress or any of its Members.

Mr. BACON. Will the Senator pardon me?

Mr. SPOONER. Yes.

Mr. BACON. The Senator uses the words "the President." I do not know whether he refers to any particular President.

Mr. SPOONER. No; I refer to any President.

Mr. BACON. I want to say, and I call the Senate to witness, that what I have had to say has been in no sense personal—

Mr. SPOONER. I know that.

Mr. BACON. As to any President.

Mr. SPOONER. I never knew the Senator from Georgia to utter a discourteous word of any President, or of anybody. I did not have the slightest reference to him.

Mr. BACON. But others who did not hear all I have said might construe the Senator's words as implying that he thought I had.

Mr. SPOONER. I did not have the slightest reference to the Senator from Georgia.

I have heard in the Senate within a week observations about the President of the United States and his supposed personal characteristics which if uttered by the President of the United States as to any member of this body would be resented from one end of the country to the other. No President in his official acts is entitled to immunity from criticism. He is entitled to respectful criticism, and in the Senate more than anywhere else on earth, because under the Constitution of the United States this is the body which in the last analysis tries Presidents, and sits in judgment upon them and their right to continue in office.

So I do not hesitate to say (and I have had the same feeling as to remarks which in the past I have heard here about the Supreme Court of the United States) that in the Senate no word ought to be uttered in spirit or manner which could be personal or offensive either to the tribunal which sits in the Capitol or to whomever happens, for the time being, to discharge the duties of President.

Now, the Senator from Georgia has read elaborately from a speech which I had the honor to make when I first entered this body many years ago. I have not read it for fifteen years.

Mr. BACON. I am sure the Senator can not improve on it.

Mr. SPOONER. The Senator is always complimentary to me.

Mr. BACON. And justly so.

Mr. SPOONER. I thank him for that; but I notice that when he reads some speech of mine which he thinks is inconsistent with some other speech or position which I am taking he emphasizes quite as much as he compliments. That is his right. I thought that speech, when I made it, was the best speech I ever could make.

I am surprised on listening to it to discover that it was as good as it seems to me now to be. Nor do I find anything in it, save one thing, which is inconsistent, in my judgment, with the attitude which I take to-day. I should be very sorry if in all the years which have passed since then I had not learned some things about the law and about the usages and necessities of government.

That debate was predicated upon the tenure-of-office act, by which Congress had undertaken to limit the President's power of removal from office. I think I stated in that speech the opinion that that act was not constitutional. At any rate, it had always been a subject of doubt. It provided that the President might suspend a man from office, but the officeholder was to continue in office where his term was fixed until the Senate had made of that suspension a removal by confirming the nomination of a successor.

I can not now look at the speech, but from some things which the Senator read and in accord with my recollection, I criticised the action of the Attorney-General in declining to furnish the information because we did not wish it for use in the discharge of a constitutional duty, but wished it for some other purpose. That I took to be insulting. I have not changed my mind at all about that. If the Senate has a right in its legislative capacity or in any capacity to information, it is not for the President to say whether it is wanted for a legitimate purpose or what he deems an illegitimate purpose.

The proposition I made there, and enforced, of the power of either House of Congress to investigate the Departments and to call for information, for letters, papers of all descriptions, for everything tending to disclose the conduct of the Government, I do not altogether agree to now; but as a general proposition I insist upon it to-day as strongly as I did then.

I always have regarded that controversy with Mr. Cleveland as not only a fruitless one, but one hardly worthy the great struggle which was made over it.

I am not willing to say to-day, as language I used in that speech would seem to indicate I thought then, that upon every request the President is bound to furnish in the first instance a specific answer; that he is obliged to send to the Senate any document from the Interior Department, the Treasury Department, the Department of Justice, or the War Department which Congress, or either House of Congress, may see fit to call for.

Mr. PLATT of Connecticut. Or from his own correspondence.

Mr. SPOONER. I will get to that. I think there are exceptions to that rule. I think if the House or the Senate should adopt a resolution calling upon the President to transmit the reports of the secret service of the Treasury Department, the President would be in the highest degree subject to criticism if he transmitted them.

Mr. BACON. Will the Senator permit me to ask him a question?

Mr. SPOONER. Yes.

Mr. BACON. In such a case which does the Senator think would be the proper attitude for the President to occupy and the proper course for him to pursue, to send a peremptory refusal to Congress—or to the Senate rather, I should say—or that he should address to it a communication setting forth reasons why it ought not to make the request?

Mr. SPOONER. I thank the Senator from Georgia for his question, for it brings me to an observation which I wish to make. The President first, let me say, ought not to transmit it. It would not be in the public interest that he should comply with that request. They are detectives. They are exploring the country to discover frauds upon the Treasury, upon the Government, counterfeiting, forgeries, conspiracies against the life of the President in more cases than one.

Upon their reports and their investigations depend, perhaps, life—certainly great financial loss and certainly the apprehension and conviction of criminals. There is not a man, woman, or child in the United States who would not say that documents of the kind indicated are confidential and that the public interest from every standpoint requires that they should remain confidential.

Now, what is the decent thing to do? Where Congress desires information which in its nature may be confidential, should it be a request or a demand that it be furnished, putting the President in the attitude in reply of a peremptory refusal, putting him where it may be said of him that he has defied the Congress, or is it the polite and the fair position that the Senate or the House should recognize the character of the document, should recognize the fact that it is confidential in its nature, and that a public interest

might or might not be injured by a refusal to transmit it, and to incorporate in the resolution the qualification, "if in his judgment not incompatible with the public interest?"

Mr. BACON. Will the Senator permit me?

Mr. SPOONER. Yes.

Mr. BACON. I entirely agree with the Senator. I think the latter is the proper course.

Mr. SPOONER. That is all we have been contending for as to this resolution.

Mr. BACON. Oh, no; I beg pardon. I am not discussing this resolution.

Mr. SPOONER. I am.

Mr. BACON. I am discussing the general statement made by the Senator and others, the question as to whether or not information required by Congress shall be the ultimate decision of the President or of Congress.

Mr. SPOONER. We have not got to that.

Mr. BACON. If the Senator will pardon me a moment—

Mr. SPOONER. Yes.

Mr. BACON. I distinctly stated—I do not know whether the Senator was in his seat at the time I made the statement or not—that I thought in all cases except in a case of great urgency it is entirely proper to put the language in, and that it is only where Congress should come to the conclusion that it is of paramount importance and peremptory in its nature that it should not put in the qualification.

I think that in nine hundred and ninety-nine cases out of a thousand that language should be used; and I think that wherever the language is not used it is perfectly consistent with propriety and a proper respect to the Senate that the President should communicate to the Senate respectfully the fact that in his opinion it ought not to be communicated, and give his reasons; and it is not to be assumed for a moment that under such circumstances the Senate would ever insist.

But I am simply on the abstract question which was discussed in the great debate in 1886, as to whether the President has the final power to say to Congress, whenever it calls for a paper or for information, "I will not give it, because in my judgment it ought not to be given."

Mr. SPOONER. We never got to the final question in that transaction, nor have we approached it now as to this transaction. I am attempting to reply—

Mr. CULBERSON. Mr. President—

Mr. SPOONER. If my friend will allow me, for I do not wish to take any time to-morrow—

Mr. CULBERSON. I simply want to ask the Senator one question.

Mr. SPOONER. Well.

Mr. CULBERSON. The Senator has been illustrating with the subject of secret service, men clothed by the different Departments with duties to execute the law of the United States. By the Constitution of the United States it is made the duty of the President to see that the laws are faithfully executed. Neither House of Congress is associated with him in that requirement. On the contrary—

Mr. SPOONER. I thought the Senator wanted to ask me a question.

Mr. CULBERSON. I will ask it. On the contrary, in the matter at hand, the President and the Senate are clothed with the duty which we are seeking to perform, and I ask the Senator if there is not a broad and well-defined distinction between the right of the Senate to inquire into the execution of the law by the President, and to inquire into the correspondence between him and foreign governments with respect to our joint duty to make treaties?

Mr. SPOONER. Yes, Mr. President, there is a distinction, but the distinction is not in the line which the Senator attempts to draw it, in my judgment. I think that as a rule as to the Departments, which Congress creates and which Congress can abolish, and which are administered under laws enacted by Congress, in nine hundred and ninety-nine out of a thousand cases we should do what we have done. We should, when we wish information, direct the head of the Department to send it. I think it is in few cases, relatively, that this qualification should be inserted.

The Senator from Georgia criticises the President for the response to the resolution of a day or two ago as if it invaded some prerogative of the Senate. My friend had not read the message which embodies the resolution sent to the President, nor, I think, had he read the reply. And that brings me back to the distinction which I was attempting to make and the qualification which experience leads me to make in the remarks which I made many years ago on this subject.

This was known by the Senate, and the point was raised here, to be a confidential communication, as a rule, for which the Senate was asking, and there was included in the resolution these words: "If not in his opinion incompatible with the public interest" to

inform the Senate so and so. The Secretary of the Treasury writes a letter to the President giving the reasons why in his opinion that report should not be made public, and the President adopts it.

Mr. BACON. Mr. President, will the Senator permit me?

Mr. SPOONER. Yes.

Mr. BACON. I never do a wrong but what I am ready to correct it. I did not notice that that provision was in the resolution.

Mr. SPOONER. I said you did not notice it.

Mr. BACON. I simply heard it read from the desk.

Mr. SPOONER. I said you did not notice it.

Mr. BACON. I thought it did not contain that provision and that it was addressed to one of the heads of Department. Is it not?

Mr. SPOONER. Yes.

Mr. BACON. I think the resolution was changed after it was introduced. Am I not correct in that?

Mr. SPOONER. Yes.

Mr. KEAN. The resolution was changed.

Mr. BACON. I was not familiar with that fact. I heard the resolution as it was introduced, and it was addressed to the Secretary of the Treasury.

Mr. SPOONER. Yes.

Mr. BACON. If the Senator will permit me—

Mr. SPOONER. Yes.

Mr. BACON. I recognize the fact that in this particular instance the response of the President was entirely proper.

Mr. SPOONER. Very good. Now—

Mr. BACON. I am speaking of the general proposition. If it had been otherwise, the Senator will contend it would be proper in the absence of that language.

Mr. SPOONER. The Senator from Georgia admits my contention by his interruption. I knew he must do so. I did not impute to him any willingness at all to be unjust to the President. He admits my contention, Mr. President, that where the paper for which the Senate desires to make request is in its nature a confidential paper, and if it is left by the resolution to the judgment of the President as to whether it can with due regard to the public interest be made public, and he withholds it upon the ground that the public interest would be injured by publicity, he is respectful to the Senate.

Mr. BACON. Nobody has ever contended otherwise.

Mr. SPOONER. If, on the other hand, that is omitted from the resolution and the President, with the same opinion as to the public interest, sends back a message that in his judgment the public interest requires that it should not be made public, he would be liable to the criticism which the Senator from Georgia, in ignorance of the true character of this resolution, passed upon this very message.

That is one reason why I have thought that the Senate always, in legislative session and in executive session, in requesting the President by resolution to send to this body a paper in its nature confidential, should insert in it this qualification, so as thereby to protect the President, whatever his politics may be, from criticism as to having sharply closed the door without reason to an inquiry of this body.

Mr. GORMAN. Will the Senator from Wisconsin permit me to interrupt him for a moment?

Mr. SPOONER. Yes.

Mr. GORMAN. Does the Senator from Wisconsin hold that under the act organizing the Treasury Department, where Congress has reserved the exclusive power, without passing through the office of the Executive, the same rule applies to that Department which he is now arguing as to other Departments and as to the President himself?

Mr. SPOONER. The Treasury Department?

Mr. GORMAN. Yes, the Treasury Department.

Mr. SPOONER. Yes.

Mr. GORMAN. Under the act organizing that Department we have distinctly and broadly provided—

Mr. SPOONER. That they shall report to Congress.

Mr. GORMAN. The right to bring the Secretary of the Treasury direct before either House of Congress. Does the Senator think that this rule should apply to that Department?

Mr. SPOONER. Does the Senator contend that we have not the right to bring any of the Secretaries, except the Secretary of State, within certain limits—

Mr. GORMAN. No.

Mr. SPOONER. Before our committees to answer questions?

Mr. GORMAN. No; I do not.

Mr. SPOONER. No; nor do I.

Mr. GORMAN. The Senator will remember, as well as I do, that special provision was made regarding the one who holds the purse strings, and that he was made directly amenable to Congress and required to report directly to this body.

Mr. SPOONER. Oh, that is his annual report?

Mr. GORMAN. Yes.

Mr. SPOONER. He reports to Congress; but what has that to do, if I may ask, with deference to the Senator from Maryland, with the question which I am discussing? He is an administrative officer. He is executing the laws of the United States which relate to the Treasury, and he has to do with a great many transactions which in the interest of the public are secret, and as to which the public interest would be destroyed if he were obliged upon the demand of either House to transmit them to Congress.

Mr. GORMAN. It never has been held so.

Mr. SPOONER. It always ought to be held so. In other words, Mr. President, I maintain only this, that where the nature of the communication or the report which is called for is confidential, inherently confidential, the President, who under the Constitution is charged with the general administration of the law, who selects his Cabinet officers, who is held responsible for the manner in which they discharge their duties, ought to have an opportunity, in response to a demand from Congress, without being subject to animadversion as contemning a prerogative of either House, to say in reply, in my judgment, "this is not compatible with the public interest." That is all there is to it.

I will take the War Department, which the Senator from Georgia referred to a while ago. Suppose we had reason to apprehend trouble with some foreign government, and we passed a resolution directing the Secretary of War to inform the Senate, or the House, if it passed such a resolution, how much ammunition the Government of the United States had in store and how much could from day to day be supplied; would not the President of the United States, be justified, if, in his judgment—and he would know better, for it is his business to conduct our foreign relations, and his alone under the Constitution; he would know better than either House of Congress could know whether that information given to the public would not be detrimental to the public interests—in declining to furnish, because to make it public would, in his judgment, be incompatible with the public interest?

Suppose he were called upon to inform the Senate or the House in a public way as to the condition of our coast defenses, would not the same observation be true as to that? Suppose the Secretary of the Navy were called upon to inform the world of the location of every ship in our fleet. All I say about that is, not that Congress may not properly ask for the information, but it is that the President, in his judgment—and he must be the judge, primarily, at least—has the power to say from his larger knowledge of the situation: "It is, in my opinion, incompatible with the public interests that this information be given to the world."

Now, tell me whether in such case it is not the polite, the fair, and the decent thing to put that qualification in the resolution, in order that the President may, without criticism, just or unjust, in compliance with the resolution itself, say: "It is, in my judgment, incompatible with the public interests."

Take the Department of Justice, which is charged with all the lawsuits in the United States. In the speech from which the Senator from Georgia quoted I spoke too broadly, in my judgment. I know it now better than I knew it before, for I know more about the Government.

Could we, although we created the Department and we may abolish it by law if we choose to do so, drag out from the Department of Justice all the papers, reports, and documents which the Senate or the House of Representatives might wish to inspect?

Mr. BACON. If the Senator will pardon me, the question of policy is one thing and the question of right is another.

Mr. SPOONER. I am talking, Mr. President, about the question of decency.

Mr. BACON. Ah, that is all very well; but that does not answer the argument, Mr. President, and the Senator knows that as well as anyone.

Mr. SPOONER. I know this, Mr. President, that the President of the United States who was asked by either House of Congress to make public papers which, under his oath and from his better knowledge, he knew would injure those public interests would be unfit for his place if he did not decline to do so.

Mr. BACON. Does the Senator think that the President ought to peremptorily decline?

Mr. SPOONER. Ah—

Mr. BACON. If the Senator will pardon me, I hope he will let me ask my question.

Mr. SPOONER. Very well.

Mr. BACON. Does the Senator think the President ought to peremptorily decline, or ought he not to communicate to the House asking for the information his reasons why the request should not be preferred or insisted upon?

Mr. SPOONER. I think he ought to be put in a position where he is not obliged to peremptorily decline. I think Congress ought to recognize the fact that the public interests may be served only by his declining and so word its resolution as that he may do his duty without having the word "peremptorily" applied to him.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Yes.

Mr. TILLMAN. Does the Senator think that the President can legitimately or properly or decently claim that he has the public welfare more at heart than has the Senate when he communicates with us in secret?

Mr. SPOONER. No, sir; I do not claim that any branch of the Government has the public welfare more at heart than another branch of the Government. But I do claim this; that so far as the duties of the President are concerned, he knows more about the public interests within his domain than the other branches of the Government may know as to those things that are confidential.

Mr. TILLMAN. Well, then—

Mr. SPOONER. He knows better, Mr. President, what are the conditions of our foreign relations than the world may know. One reason why the Confederation was found to be weak was that the Congress was the organ of communication with foreign governments. One reason, Mr. President, that the sole conduct of our foreign relations, when the Constitution was adopted, was placed in the President was that it should be deposited in one source because of the secrecy and the quickness of action which might be necessary in order to subserve the public interests.

Mr. TILLMAN. Mr. President—

Mr. SPOONER. We might just as well say, Mr. President, if we called upon the President when war was approaching to report to Congress what his plans of campaign were or when the war should be declared, that he would not be justified in declining to transmit such information. I do not favor any more than does the Senator from Georgia the relinquishment by this body of one, however small it may be, of its prerogatives.

I do not think that any Department of the Government should be permitted in anywise to invade another—judicial, legislative, or executive—but I do repudiate the notion that there may not be in the conduct of public affairs transactions and information which, for the safety of the country—and that was the purpose of the Constitution—may not be kept close in the mind of the Executive.

Mr. TILLMAN. Mr. President—

Mr. SPOONER. I hope my friend will permit me to get through. However, I do not know how I can refuse to yield to him.

Mr. TILLMAN. Mr. President, I was trying to bring the Senator, if I could, to the question at issue—

Mr. SPOONER. I have been getting there. [Laughter.]

Mr. TILLMAN. And that is, the right of the Executive to deny to the Senate, which is the coordinate branch of the treaty-making power, information which will enable it to determine whether or not it will ratify his action as Executive in having negotiated a treaty. That is the point, and that is the only point here.

Mr. SPOONER. That is not the point.

Mr. TILLMAN. And all of this high-flown—I do not want to use any offensive word, but the Senator is so eloquent, is so earnest, is so adroit, and can so persuade us as to “make the worse appear the better reason,” that I like to get him back to the ground—

Mr. SPOONER. I wish I could only persuade you once in a while.

Mr. TILLMAN. Whenever you are right you can persuade me without the least trouble.

Mr. SPOONER. No, Mr. President, the Senator does not state the point that is at issue in this debate. It is not a question of what the Senate has the right to demand of the President. That is not the point in debate, although we have been debating it. The point in debate is this: What form shall a resolution take in the Senate which calls upon the President for information inherently confidential? That is the point.

Mr. BACON. I hope the Senator will pardon me for saying that has not been the point which I discussed.

Mr. SPOONER. It has not been. I agree to that.

Mr. BACON. It has not been. I expressly disclaimed that I had sole reference to this particular resolution.

Mr. TILLMAN. If the Senator will permit me, I want to say that I myself have expressly disclaimed, not only for myself, but for all of us on this side of the Chamber, any purpose or intention to insinuate or to do anything which would reflect on the President's integrity of purpose or his patriotism. We merely want certain facts.

Mr. SPOONER. I am not belittling or insulting the President of the United States by defending his patriotism or his integrity. He needs no defense as to either. That is not the question.

Mr. TILLMAN. Then the question is whether we on this side have endeavored to treat him with discourtesy.

Mr. SPOONER. I am not talking about you. I am talking about the general proposition.

Mr. TILLMAN. I am talking about the resolution which was presented from this side, on which we are asking the action of the Senate, which calls for certain information in regard to this treaty—that and nothing more. If I understand the Senator from Wisconsin, he contends that there is a discourtesy here. We disclaim it; we deny it.

Mr. SPOONER. I did not contend that. This is an abstraction. That is the truth about it.

My proposition is this: It is not made simply to this matter, for this resolution ought not to have been here, in my judgment, in the open Senate, it is made upon the principle—and it is intended to be addressed to this Senate not only as to this resolution, but as to all similar resolutions emanating from the Senate—that the proper form of resolution is that to which we have adhered so long as I have known anything about the Senate, to ask the President, if not in his judgment incompatible with the public interests, to send such papers to the Senate.

There never has been a President in the White House who has been more frank, Mr. President, more utterly free from concealment of public matters, than the present occupant of the Presidential mansion—not one—and I have no more doubt than I have of my existence that the President will send, however the resolution may be worded, every shred of paper which the resolution calls for. I know of nothing that need be concealed; I want nothing concealed, and it is safe to say that the President has nothing which he desires to have concealed. It is only what is the proper attitude as to such matters for the Senate to take, not simply as to this President, but as to all Presidents.

Now, Mr. President, I want to go just one step further and I shall finish. I think there is a distinction between the State Department in respect of its relation to the Senate and the other Departments of the Government. That Department was not required to report to Congress. The Secretary of State has been called, I think, in one opinion of the Supreme Court, “the right hand of the President.”

There are undoubtedly matters in that Department which the Senate has a right to call for; but when the Senator from Georgia claims, if he does claim it, that the Senate has a right to call for and to inspect all the documents at all times in the State Department, I think he makes a proposition which can not be sustained; I think he makes a proposition, Mr. President, which would nullify the clear purpose of the original act of Congress creating that Department and would defeat the proper execution of a power which, by the Constitution, is conferred upon the President alone.

I suppose it can not be denied that under the Constitution the conduct of our foreign relations is solely in the Executive. The Supreme Court has repeatedly so decided. It is apparent from the minutes of debates in the Constitutional Convention, and I have never heard it disputed until recently. The President is given the power to negotiate treaties. Suppose you repeal the law creating the State Department. You do not minimize at all, nor can you, the power of the President to conduct our foreign relations—his power to negotiate treaties.

He can not make a treaty without the intervention of the Senate; but his negotiation of it, as to the manner of it, as to the form of it, as to the agency by which it shall be carried on, is absolutely, under the Constitution, his prerogative, with which neither the Senate nor the House of Representatives nor the Congress has anything whatever to do or in relation to which it has anything to say.

Mr. CULBERSON. Mr. President, will the Senator yield to me for a question?

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. SPOONER. Yes.

Mr. CULBERSON. When the Senator states that the President negotiates treaties, if he means to confine it to the practice of the Government, well and good. If he means to say, however, that the Constitution expressly clothes the President with any such power, I think, upon reflection, he will not insist upon it, because the only phrase in the Constitution upon this subject is this—

Mr. SPOONER. I know what the Constitution says.

Mr. CULBERSON. Still, I should like to get it in the RECORD.

Mr. SPOONER. Very well.

Mr. CULBERSON. “He [the President] shall have power, by and with the advice and consent of the Senate, to make treaties.”

Mr. SPOONER. Yes; I know that.

Mr. CULBERSON. And of course the Senator, I do not believe, will insist that there is any special authority given in the Constitution clothing the President with power to negotiate treaties. It is the practice of the Government, and the correct practice.

Mr. SPOONER. Oh, Mr. President, it is not the practice of

the Government. The President does not exercise that power by the sufferance of Congress. He does not exercise that power by any prescriptive right; neither is it to be spelled out of the Constitution. It is there.

Who is to negotiate a treaty? Can the Senate negotiate a treaty under the Constitution? The Constitution says the President may, by and with the advice and consent of the Senate, make treaties, but a treaty has to be negotiated before it can be made by and with the advice and consent of the Senate. Who is to negotiate it? In the old country, from which we took our institutions in part, the King negotiates treaties.

Mr. CULBERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. SPOONER. Yes.

Mr. CULBERSON. I want to ask the Senator how he accounts for the early practice and custom of the President to confer openly with the Senate as to the making of treaties?

Mr. SPOONER. What does the Senator mean by "confer openly?"

Mr. CULBERSON. I mean conferring personally with the Senate in the Senate Chamber about the terms of a treaty before it was ever entered into or ratified.

Mr. SPOONER. Well, Mr. President, it hardly grew into a practice, and it never was open.

Mr. LODGE. It never happened but once.

Mr. SPOONER. Once, Mr. President, Washington, I think, consulted the Senate privately, not openly, as to some treaty which he proposed to make.

Mr. LODGE. A treaty with an Indian tribe.

Mr. SPOONER. I do not remember. Perhaps it was with an Indian tribe. He was not compelled to do that. I suppose President Roosevelt could come down here, consult with us, and take our advice in advance if he chose to do so, but it would be only advisory. He would be entitled to entirely disregard it and make a treaty on entirely different lines. Such action would not be a ratification of the treaty. The Senator from Texas [Mr. CULBERSON] shakes his head.

Mr. BACON rose.

Mr. SPOONER. I did not mean the Senator from Georgia.

Mr. BACON. But I shook my head. I refer to the Senator using the word "make" when he should have said "negotiate."

Mr. SPOONER. I said that would not make a treaty; that would not preclude the necessity that the Senate, after the treaty was negotiated, should help the President make it by ratifying it.

But there is only that one instance in the history of the country. Is it pretended here by any lawyer in this body that it is not the sole function of the President to negotiate treaties? The other Departments execute laws which we pass; they owe their creation to Congress, and their duties are defined by Congress. The President's power to negotiate treaties comes from the power to which we owe our existence—the Constitution. We can not confer added power in that respect upon him by law, nor can any law enacted by Congress impair in the slightest degree his constitutional power in respect of treaties.

Suppose you abolished the State Department and there was no longer a Secretary of State. The President could still as completely as now, although not as conveniently, negotiate treaties. To-day he can bring the ambassador from Great Britain into the White House and negotiate a treaty with him. Could the Senate call upon him for the conversation or the memoranda upon which it was based? I mean would the Senate have a right to do so? It could request it.

Suppose it were a treaty of alliance, if you please, which involved the relation of both Governments to the world, so that to give it publicity would be fatal to the interests of this Republic. Will any man claim here that the Senate would have the right—they would have the right to request; but would they have a right so that the President would be violating his duty or invading the prerogative of the Senate if he refused to accede to its request?

All I said in the speech from which the Senator from Georgia quoted and all the Senator from Georgia [Mr. BACON] has said in his speech as applied to the Departments of this Government might be admitted for the sake of argument, and still it be true, Mr. President, that, so far as the negotiation of treaties is concerned—the negotiation, mind you, of treaties is concerned—we may ask the President to send us all information pertinent to the treaty, or which would aid the Senate in an intelligent consideration of it; but that we have a right to demand of the President that all his instructions, that every step in the progress of the negotiations, shall be sent to the Senate without his right, involving no disrespect to the Senate, to decline to send it to us, I am not prepared to admit.

Now, Mr. President, after all, we all want to do the right thing. Senators want these papers. I want to see the resolution put in the usual form. I expect the President to send in everything.

The Senator from Texas said that in no paper yet had the President stated he had sent all of the papers.

Mr. CULBERSON. I think he has not.

Mr. SPOONER. I suppose, in answer to this resolution, worded as such resolutions ought to be, the President will say that he has sent all the papers, or he will say that he has withheld some, because, in his opinion, the public interest requires it. I do not anticipate anything of that kind, but suppose there were. I am not speaking about this particular transaction; I am speaking upon that subject generally.

I am sorry to have taken the time of the Senate. I speak earnestly about the matter. I want the dignity of the Senate maintained; I want the relations between the Senate and the President to be what the Constitution intended and what the public interest requires.

The only difference between us is not in the result—it is not only for this case, either—but it is as to what is the proper course, whether we shall pass this resolution in the form introduced here, so that if the President should withhold any paper in this case or any other for reasons which he thinks are good he shall be subject to animadversion and criticism to the statement that, "Ah, there is something here that is mysterious," or whether we should not, accomplishing the same result, put in this qualification, so that whatever his answer may be nobody can say that it is anything but courteous to the Senate.

That is all there is to it; and the other talk, the debate of my friend from Georgia and a part of mine, is an abstraction. If the President of the United States in a case where we have a right to obtain information should refuse to accord it, and the Senate should still demand it and he should still refuse, giving no reason for it, we could not enforce it. No President will ever do that, I think, and our intercourse with the President as to these matters ought to be such as to minimize all possibility of feeling or friction.

If I know my heart, and I think I do, what I feel and think upon this subject does not apply simply to a Republican President, but to any man who shall occupy that chair. While I have a place in the Senate I shall vote, where the document called for is in its nature confidential, to include in the resolution this qualification.

Mr. McLAURIN. Mr. President, it is getting late and I desire to discuss this resolution briefly. If it is the desire of the Senator who has charge of the matter—

Mr. CULLOM. Does the Senator from Mississippi desire to make a long speech?

Mr. McLAURIN. I should like to make a speech—

Mr. CULLOM. It is only half past 5.

Mr. McLAURIN. It will take some time, and I should prefer to go on to-morrow.

Mr. CULLOM. I had expected to get a vote on the resolution to-night, and I should like very much to do so.

Mr. SPOONER. The Senator from Mississippi can discuss this subject later.

Mr. ALDRICH. There are plenty of other resolutions.

Mr. CULLOM. The Senator can make his speech on almost any of the resolutions, if he wants to speak generally on the subject of the treaty.

Mr. SPOONER. Or on this subject.

Mr. CULLOM. Or on this subject.

Mr. McLAURIN. No, sir; I want to address myself to the pending resolution. I supposed this would be about the adjourning hour and that the discussion would not go on until to-morrow. However, if it is the desire of the Senate that I shall go on with what I have to say, I can say it now.

Mr. CULLOM. I should like very much if the Senator could do so, unless he desires to speak longer than he ordinarily does. It is only half past 5. The time is coming, I think, when we ought to sit longer each day than we have been doing heretofore. We have been in session now nearly three months, and we are making very little progress.

Mr. McLAURIN. I prefer to speak to-morrow on the resolution, but if the Senator or the Senate insists, I will go on now with what little I have to say.

Mr. CULLOM. I should like to dispose of this resolution this evening.

Mr. ALDRICH. I suggest to the Senator from Mississippi that there are a series of resolutions upon the President's table in relation to this and lateral matters. If it is the desire of the Senate to secure information, if there is any correspondence to be sent, this resolution ought to be passed now, in order that, if there is any such correspondence, it may be used in connection with the treaty. I understand it is the desire of the Senator from Texas that the information shall be secured for use in connection with the treaty. Therefore let us pass the resolution, and if the Senator from Mississippi wants to make a speech on the canal question or any collateral question—

Mr. SPOONER. Or upon this question.

Mr. ALDRICH. Or upon this question, he can just as well make it to-morrow.

Mr. McLAURIN. After this resolution shall have been adopted?

Mr. ALDRICH. After this resolution shall have been disposed of, as he can to-night.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from South Carolina?

Mr. McLAURIN. Certainly.

Mr. TILLMAN. I confess I am a little astonished that what is the common custom of the Senate it is proposed shall be denied to the Senator from Mississippi.

Mr. McLAURIN. I hope the Senator from South Carolina will not make any appeal on my behalf.

Mr. TILLMAN. I do not think the importance of this matter justifies the adoption of drastic measures and the driving of things. It is not courteous. I hope we will have an executive session now or an adjournment, I have never known anything to be gained here by undertaking to drive anybody.

Mr. ALDRICH. If the Senator from South Carolina regards my request as an effort to drive anybody, he is very much mistaken.

Mr. TILLMAN. I hope the Senate will do what we have always done, and allow the Senator from Mississippi to go on to-morrow, as he wants to do.

Mr. McLAURIN. I assure the Senate—

Mr. ALDRICH. I appeal to Senators to gratify the great desire on the part of the Senator from Texas and other Senators on the other side to secure information by letting this resolution pass at once, and then if later the Senator from Mississippi desires to speak upon this subject he can do so.

Mr. TILLMAN. But the Senator from Mississippi has expressly declared that he does not want to go on to-night and that he does not want to speak on a resolution that has passed the Senate and gone. I do not think, with all due deference to the Senator from Rhode Island, that it is courteous—

Mr. CULLOM. Allow me to make a suggestion.

Mr. CULBERSON. I rise for the purpose of calling the attention of the Senator from Rhode Island to the fact that the Senator from Mississippi expressly stated he desires to debate this particular resolution.

Mr. CULLOM. What I was going to suggest is that if no other Senator desires to speak on this resolution, let us agree that after the Senator from Mississippi makes his speech to-morrow we shall vote upon it.

Mr. ALLISON. That is a good suggestion.

Mr. CULLOM. I do not feel like pressing him into service this evening.

Mr. TILLMAN. Suppose somebody else wants to continue the discussion of it to-morrow. We do not propose to hammer this wind bag, so to speak, just for amusement. We want information. I do not think we ought to be forced to shut off any other Senator who may feel interested enough to take it up.

Mr. CULLOM. If this is nothing but a wind bag, we ought not to spend months on it. We have listened to debate on this question all day to-day and part of yesterday, and it seems to me that a little resolution like this, calling upon the President for information which all of you seem so much to desire, and I do myself, should be disposed of. I want to see the resolution answered. Let us not spend a month on this little resolution. If the Senator from Mississippi desires to speak to-morrow morning, let us allow him to do so, and then vote upon the resolution. I ask unanimous consent that that shall be done.

Mr. CULBERSON. I suggest to the Senator from Illinois that there are very few Senators present—at least a large number are absent—and there might be hesitancy in agreeing or refusing to agree to a request for unanimous consent under the circumstances. It is my judgment that in all probability no one will desire to speak on the resolution to-morrow except the Senator from Mississippi.

Mr. CULLOM. I do not want to cut him off. I ask unanimous consent that we may vote on the resolution to-morrow after the Senator from Mississippi shall have spoken.

Mr. TILLMAN. I would have to object to that request on the general proposition that it is not fair to Senators to undertake to get a unanimous-consent agreement on a matter of this kind. We all agree to the request for unanimous consent that we shall vote to-morrow. I do not want to speak and I do not know of anybody else who wants to speak, but I am opposed to this kind of proceeding. That is all.

Mr. McLAURIN. Just one word in explanation of my desire to wait until to-morrow morning.

The PRESIDING OFFICER. The Senator from Mississippi has the floor.

Mr. McLAURIN. The Senator from Illinois kindly asked me

if I intended to make a speech, and I told him that I preferred to speak to-morrow, as the time was getting late. I understood, although I may have misunderstood him, that he would, upon my getting the floor, make a motion to go into executive session or adjourn, and give me an opportunity to take the floor to-morrow morning after the morning business was transacted and go on with what I have to say. For that reason I had dismissed from my mind the line of thought I intended to pursue, and preferred not to go on, though I can proceed now if it is the desire of the Senate that I shall do so.

Mr. ALLISON. Nobody wants the Senator to do that.

Mr. CULLOM. I am not asking that the Senator shall go on to-night.

Mr. COCKRELL. I suggest that the resolution be taken up at half after 12 o'clock to-morrow and proceeded with, and we will dispose of it to-morrow readily enough.

Mr. CULLOM. Suppose we say "dispose of it before 3 o'clock" or "at 3 o'clock?"

Mr. BACON. I am sure there will be no trouble in disposing of it.

Mr. CULLOM. Let us say 5 o'clock. I want to get something done here and not be talking all the time.

Mr. COCKRELL. We will dispose of it to-morrow, and I think we will adjourn before 5 o'clock.

Mr. McLAURIN. I have no desire to speak longer than fifteen or twenty minutes.

Mr. CULLOM. I have no idea the Senator from Mississippi is going to make a long speech.

Mr. McLAURIN. No.

Mr. CULLOM. He is not in the habit of doing that.

Mr. COCKRELL. We will dispose of the resolution to-morrow.

Mr. CULLOM. I agree to that.

Mr. McLAURIN. Is it understood that I have the floor?

Mr. CULLOM. Yes.

The PRESIDING OFFICER. That is the understanding.

Mr. PLATT of Connecticut. I understand the unanimous-consent agreement is that we are to vote on the resolution to-morrow?

Mr. ALLISON. That is it.

Mr. CULLOM. Undoubtedly.

Mr. ALLISON. Let it be put by the Chair.

The PRESIDING OFFICER. The Chair will state that no such request has been put by the Chair.

Mr. TILLMAN. Then I now ask unanimous consent that we may vote on the resolution to-morrow.

The PRESIDING OFFICER. The Senator from South Carolina asks unanimous consent that a vote shall be taken on the pending resolution to-morrow. Is there objection? The Chair hears none, and it is so ordered.

Mr. KEAN. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 43 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 29, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 28, 1904.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

CONVICT-LABOR CONTRACTS FOR THE ARMY.

Mr. VAN DUZER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. VAN DUZER. I rise for the purpose of offering a resolution for present consideration.

The SPEAKER. Is the resolution a privileged one? The Clerk will read.

The Clerk read as follows:

Resolved, That the Secretary of War be, and he is hereby, requested to furnish to this House at his earliest convenience a statement showing whether or not and to what extent and for what articles any officer or employee of the War Department, with authority to enter into any contract on behalf of the Government of the United States, has entered into any contract of purchase for any article, whatsoever nature or kind, to be used by the army service, manufactured or made by contract labor.

The SPEAKER. The resolution is not a privileged resolution.

Mr. PAYNE. Mr. Speaker, there is so much confusion that we can not hear what he says.

The SPEAKER. What does the gentleman desire—to have the resolution considered now or referred?

Mr. VAN DUZER. I desire to have it considered now.

Mr. PAYNE. I make the point of order that the resolution should go to committee. I object to its present consideration.

The SPEAKER. Objection is made to its present consideration.

Mr. VAN DUZER. Mr. Speaker, I have another resolution—

The SPEAKER. The gentleman can withdraw the resolution

if he desires and introduce it under the rule by which it would go through the box and receive proper assignment.

Mr. VAN DUZER. I desire also, Mr. Speaker, to introduce another resolution on the same line.

The SPEAKER. Well, the gentleman can not take the time of the House unless he has a question of privilege.

Mr. VAN DUZER. Well, Mr. Speaker, certainly if there is objection the matter will go over. I simply desired to have the resolution introduced, and if there is objection made of course it will go over.

The SPEAKER. The rules provide how memorials and resolutions shall be introduced, and there is no trouble about the proper reference of them under the rules.

CONTESTED-ELECTION CASE—CONNELL V. HOWELL.

Mr. DRISCOLL. Mr. Speaker, by direction of the Committee on Elections No. 3, I wish to announce that the contested-election case of Connell v. Howell will be called up for consideration one week from next Tuesday, February 9.

Mr. McLAIN. I would like to ask the gentleman in reference to the time to be allowed for debate. Do we agree on that now or do we agree upon it when the case is called up?

Mr. DRISCOLL. I presume we will agree as to time when the case is called up.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent that the time for general debate on the urgent deficiency bill be extended until 5 o'clock to-day, provided that if there is no one desiring to speak we can commence the reading of the bill.

The SPEAKER. The gentleman from Indiana asks unanimous consent that general debate may be closed upon the deficiency appropriation bill at 5 o'clock to-day, provided that if no one desires to discuss it then the reading of the bill under the five-minute rule shall begin.

ORDER OF BUSINESS.

Mr. MAHON. Mr. Speaker, to-morrow is the day for the Committee on War Claims. I do not want to get in the way of this bill, and I ask unanimous consent that the Committee on War Claims may have next Tuesday in place of to-morrow, so that this bill can be finished.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that Tuesday next, in lieu of Friday, be devoted to private business under the rules. Is there objection?

Mr. HEMENWAY. Mr. Speaker, I wish the gentleman would add to his request, "provided it does not interfere with privileged matters."

The SPEAKER. As the Chair understands it, if consent is given it places Tuesday next precisely in the same position as Friday next—that is, in lieu of Friday, with no more rights than the private bills would have on Friday.

Mr. HEMENWAY. I have no objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none. Is there objection to the request of the gentleman from Indiana?

There was no objection.

URGENT DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency bill.

The motion was agreed to; and accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TAWNEY in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of House bill 10954, the urgent deficiency bill, and the gentleman from Georgia is recognized.

Mr. LIVINGSTON. Mr. Chairman, I now yield twenty minutes to the gentleman from New Jersey [Mr. BENNY].

Mr. BENNY. Mr. Chairman, a few days ago I had occasion to say on the floor of this House that if the old Pharisee who used to stand on the street corner in Jerusalem and thank his Maker that he was not like other men should suddenly come into this Chamber and listen to three ordinary Republican speeches, he would hide his face in shame, and admit that in comparison with the latter-day Republican saints here he, in the old days in Jerusalem, knew absolutely nothing about his business. [Laughter.] I want to say that I understand the old fellow in Jerusalem was a drinking man, and if that be the fact I am very glad that he did not come in here yesterday, or the afternoon of the day before, because if he had I am afraid that he would have gone out of this Chamber and straightway drank himself to death. [Laughter.]

I listened yesterday afternoon to two speeches, and to one on

the afternoon of the day before, and it seems to me that the three of them, taken together, show this: Egotism grown so that it is now at least hysteria, and very nearly insanity; claims of power in and credit to the Republican party approaching blasphemy; and braggadocio altogether foolish. I wondered after the last of the three speeches was made last night if there was anything good in the United States of America that the Republican party did not claim credit for, or anything bad that they did not blame the Democratic party for or lay to Almighty God.

I listened with a good deal of interest to the gentleman from Illinois [Mr. BOUTELL] on day before yesterday, and when reading from his speech I noticed this: He says that the Democrats, in the election of 1896 and 1900, groveled before a silver image and wore out the knees of their intellectual trousers.

Mr. Chairman, if there can not be better order in the House than there is, may I have unanimous consent to sing the rest of mine instead of speaking it? [Laughter.]

Mr. PALMER. All right, sing it.

Mr. BENNY. I'm such a powerfully poor singer that I have not the heart to inflict myself in that way upon even my friend the enemy.

The CHAIRMAN. The gentleman's point is well taken. The committee will be in order, and gentlemen in the aisles will take their seats.

Mr. BENNY. That was an interesting speech the gentleman made; so pathetic it brought tears to our eyes, and so humorous that it filled the House with laughter, not only on your side, but on ours, and so harsh on the last Democratic candidate that it raised the resentment of every Democrat in the Chamber. I am sorry he spoiled a speech otherwise good by abusing the man who was our standard-bearer in the last two campaigns. But I do not think that Mr. Bryan need feel in any way hurt; he is in good company. It so happens that every man who amounted to anything in the United States was abused, and two men who were abused more than any others in the country were the two who stand first and second in United States history—George Washington, number one, and Abraham Lincoln, number two.

In the company of those men, in the abuse that he is receiving from the other side, Mr. Bryan may feel quite comfortable, and I would like to call the attention of the gentlemen on the other side who like to throw things at Mr. Bryan to this fact: A year ago I attended an annual banquet of the board of trade in the city of Newark, in my State, and at that banquet Senator DOLLIVER made a great speech. While the Senator was talking at the banquet he mentioned the name of Mr. Bryan. That brought from the rear of the hall a hiss. Senator DOLLIVER stopped short, and his face grew white and then red. He pictured then and there Mr. Bryan as one of the foremost men of the United States, and he wound up his remarks by saying that there lived in the United States to-day no man who had right or license to hiss at the name of William Jennings Bryan.

I commend the speech of Senator DOLLIVER to the careful attention of those gentlemen on the other side who are perhaps not so great in the country as is the Senator, with the hope that they will profit by it. There seems to be a great deal of joy expressed in these speeches because of the alleged fact that the Democratic party is in bad shape. Let me suggest to my friends over there that it is the Republican party that is to-day sick. It is the Republican party that needs a doctor, and you have not been able as yet to get Doctor HANNA to say a word that is going to help you. Let me also suggest that when the election is over next fall perhaps the gentlemen who have been so loud in their announcements that the Republican party is sure to win may be disappointed; and if it turns out, as we hope it will, that the next election will be a Republican burial, I hope you will have engraved on the side of the tombstone this inscription:

"Here lies the Republican party, once the party of Abraham Lincoln, but long since strayed away from his teachings; the party that helped to abolish black slavery, but a few years later became itself the slave of the great American trusts.

"Let it Rest in Peace.

"Immediate cause of death, these policies:

"1901, Let Well Enough Alone.

"1902, Keep on Letting Well Enough Alone.

"1903, Stand Pat.

"1904, We Hold the Ace.

"P. S.—If that reporter had not written 'ace' when I said 'edge,' we would have been all right.—HANNA.

"P. P. S.—HANNA does not know the game. If he had said 'age,' and not 'ace' or 'edge,' we would have been hunky-dory.—GROSVENOR." [Laughter.]

But I want to say, Mr. Chairman, that in the campaigns of 1896 and 1900 I supported Mr. Bryan. I do not know what kind of an instrument the gentleman from Illinois [Mr. BOUTELL] would say I played on, perhaps a 2-cent tooter; I can not tell. But no man who supported that candidate in those two campaigns need

feel any shame about it or feel uncomfortable about it. He was perfectly right in supporting him. I want to ask why it is that men on the other side take so much time and get so much fun out of abusing the man. The gentleman from Nebraska [Mr. BURKETT] yesterday said that the Democratic party to-day did not know where it stood on silver. Isn't it a fact that when the Republican convention of 1896 assembled the intention then and there of the majority of those delegates was to put in their platform the same declaration as to the free and unlimited coinage of silver that the Democratic platform contained?

Was it not only because of the argument of the Senator from New York [Mr. PLATT], who told the members of that convention that Wall street and the moneyed interests of the land would be against the Republican party if they adopted that declaration, that the Republican party turned to the other side and adopted the gold plank instead of the silver plank? And isn't it a fact that from the day of his birth until this day Mr. Bryan has always been absolutely honest, and haven't you admitted it? Did you not go over his life as with a fine-tooth comb and find him absolutely blameless? Hasn't he been just as courageous and perhaps more so than any candidate you have ever had?

Why, you brag and blow here about the great courage of the man who is now President of the United States. The man who is a courageous man is the man who dares to do right. The man who shoots a lion or a Spaniard in the back does not necessarily have to be courageous, and I want to ask you if the man who is now President of the United States dares to-day to do what he thinks is right, as Mr. Bryan has always dared to do what he believes to be right?

Mr. Bryan believed, with the leaders of your party, with McKinley, with Blaine, with Sherman, and every man who has amounted to anything in your party in the last twenty-five years, that the free and unlimited coinage of silver was right. I always had my doubts about it. I believed then and now about as Theodore Roosevelt did when he wrote in the Forum for January, 1897, these words:

There is no doubt whatever that a nation is profoundly affected by the character of its currency, but there seems to be equally little doubt that the currency is only one, and by no means the most important, among a hundred causes which profoundly affect it. The United States has been on a gold basis and on a silver basis; it has been on a paper basis, and on a basis of what might be called the scraps and odds and ends of the currency of a dozen other nations, but it has kept on developing along the same lines no matter what its currency has been.

He believes to-day that he is right. Hasn't he a right to believe that? Isn't he entitled to the same credit for his belief that you have now for your belief? At one time you believed that free silver was right. Now you believe that you were wrong in that and that gold is right. Did not Mr. Bryan show his courage in 1900, when the Democratic convention was assembled, and it was presented in this way to Mr. Bryan by Mr. Hill and the other leaders of the party: "If you, Mr. Bryan, will adopt in your platform a gold plank and let go of the silver, the election is at your mercy—the Presidency is yours." What was his answer? Was it not the same that Clay gave years ago: "I would rather be right than be President." Did he then give way for policy's sake and adopt something he did not believe in and let go something he believed in as he believes in his religion?

What does Mr. Roosevelt do? Does he dare to come forward and do what he believes to be right? I give Mr. Roosevelt the credit of believing in his heart that the trusts are a menace to the prosperity of this country, and that they ought to be controlled in some way. I believe that if he dared he would take that stand. I believe that were it not for the sake of policy, were it not for the fear that he would not be nominated and elected, he would do that. But he has before him to-day the hope of a second term. That is a thing he can not lose sight of. He wants to be elected President of the United States; he wants to occupy that position, not by accident or by the act of God, but by the election of the people, and he knows if he is to succeed he must have for his party the backing of Wall street and the money interests of this country, and therefore he does not dare to do right.

Let me call attention to the President's message in order to prove that proposition. He had an appropriation of half a million of dollars last year to assist the legal department of the Government in prosecuting the trusts. The Administration had that money at its command. It could hire all the extra help it wanted; there was no halt about it; there was no limit to what might be done with that money; it was theirs to do with what they pleased. What have they done? They tell us now that they have spent some \$25,000; but where it has been spent, for what purpose, what effect it has had, no one can find out, with the aid even of a microscope.

Now, do you think—does the gentleman from Illinois, or the gentleman from Nebraska, or the gentleman from Indiana who spoke yesterday—does any one of those gentlemen, or all of them, think that Mr. Roosevelt intends this year to prosecute the trusts

or begin to do so? That half million of dollars might be compared to a quart of good cream that the doctor had ordered to be given by the nurse to the patient. And this is how Mr. Roosevelt, acting for the nation, now ill by reason of the exactions of the trusts, is going to use his cream. He is going to dump into it two or three gallons of water to help out the quality of the cream.

Listen to his statement of affairs. Here is his message of this year, and on page 8, after reciting the fact that in his last annual message he had asked for this money, which was given to him by Congress, he goes on to say:

I now recommend, as a matter of the utmost importance and urgency, the extension of the purposes of this appropriation, so that it may be available, under the direction of the Attorney-General, and until used, for the due enforcement of the laws of the United States in general and especially of the civil and criminal laws relating to public lands and the laws relating to postal crimes and offenses and the subject of naturalization.

Now, do you mean to say that President Roosevelt is going to use a half million of dollars to prosecute the trusts? He has asked you in this message to permit him to divert this great sum of money from the purpose for which it was originally appropriated—viz, the prosecution of the trusts—and to scatter that money all over the United States in the enforcement of all the general laws of the country.

Mr. THAYER. Will the gentleman yield to me for a moment?

Mr. BENNY. Certainly.

Mr. THAYER. Can the gentleman tell me how it happens that the Administration, after securing the assistance of additional prosecuting attorneys, indicted Driggs, a Democrat, in New York, under a statute on which they could convict him and prosecuted DIETRICH under a statute on which they knew they could not convict? Can the gentleman explain how that happened?

Mr. BENNY. Certainly. They wanted to catch the Democrat and they wanted to miss the Republican. [Laughter and applause on the Democratic side.] That is an old expedient; they do it right along; they do it to-day, and they always will. They preach in season and out of season about the great reforms they are going to inaugurate. They are going to stop the use of carriages in the city of Washington by various officers of the Departments, but do they do a thing toward stopping the President of the United States using free trains all over the country by the favor of the railroad companies, amounting, I am told, on his great western trip to at least \$65,000? Oh, yes; they are going to stop some Assistant Secretary down here from using a carriage at the public expense, but the President of the United States may still go on using free trains at the expense of the railroad companies.

Now, Mr. Chairman, they undertake to tell us why Mr. Bryan was defeated in 1896 and in 1900. They say that it was the aroused public sentiment that smote the silver image, etc. Let me tell you why Mr. Bryan was beaten in 1896 and 1900. He was beaten by the worst use of money that was ever resorted to in any campaign. He was beaten by the meanest kind of coercion and intimidation that was ever witnessed. During those campaigns in going along by railroad in any of the States of the Union you could see displayed on the side of manufacturing establishments placards with such proclamations as this: "If Mr. Bryan is elected this factory will shut down." The mill owners, or whoever else put up those placards, knew when they placed them there that they were absolutely false, that they had no intention of shutting down those mills. The object was to coerce men to vote their way. And do we not know that all over the United States straw votes were taken in the mills and the factories to find out beforehand how the employees were going to vote? And the Lord's pity was necessary to save the man that they found indicating his preference for William Jennings Bryan over their candidate on the other side.

And then they tell you that another reason why the Democrats should be "licked out of their boots" in the next campaign is because Bryan's prophecies were all wrong. I have not a great deal of faith in a prophet from either side. Some of Mr. Bryan's prophecies may have been wrong. One of them was not. The prophecy he made—and that was called to the attention of the House yesterday by some gentleman on the other side—that in case of the success of the Republican ticket in 1896 and in 1900 the wealth of the country would be concentrated in the hands of a few, has been absolutely carried out, and to-day, according to all the statistics, all of the wealth of the country is in the hands of a few men, and when the board of directors of the United States Steel Corporation sit down in conference the twenty-three men there present own one-twelfth of the wealth of the United States. That prophecy was not wrong. Any prophecy he made was not any further wrong than the prophecy that THOMAS C. PLATT, of New York, made to the Republican convention in 1900, when he went there and asked Senator QUAY and his other friends there "for God's sake" to take Theodore Roosevelt out of New York politics by making him Vice-President of the United States. Did they take him out of New York politics? That prophecy went wrong, too.

And then they tell us on the other side, Mr. Chairman, that wages have increased 12 per cent during the Republican Administration and that the cost of living has actually gone down. Now, I do not think that there ever was a more erroneous statement made on this floor than that same one. The gentleman from Illinois [Mr. BOUTELL] was very careful when speaking not to give us any figures on the cost of living. Let me give you some figures from Dun's Review, which I suppose every man here will take to have some weight at least.

The figures, based upon quotations of 350 articles, with due allowance for the relative importance of each, are as follows:

	Jan. 1, 1890.	July 1, 1897.	Jan. 1, 1900.	May 1, 1902.	July 1, 1903.	Oct. 1, 1903.	Jan. 1, 1904.
Breadstuffs	\$13,765	\$10,587	\$13,254	\$19,954	\$17,473	\$16,606	.....
Meats	7,620	7,529	7,258	10,968	9,209	8,830	.....
Dairy and garden	12,675	8,714	13,702	14,737	13,083	12,609	.....
Other food	9,935	7,887	9,200	8,742	9,186	9,171	.....
Clothing	14,845	13,808	17,494	15,527	17,136	16,816	.....
Metals	16,240	11,642	18,085	15,702	16,544	16,366	.....
Miscellaneous	15,111	12,286	16,312	16,654	16,785	16,890	.....
Total	99,191	72,455	95,295	102,289	99,456	97,378	\$100,142

These figures indicate that the cost of living was 6 per cent higher in 1900 than in 1890, and 31 per cent greater in 1900 than in 1897; 41 per cent more in 1902 than in 1897, and 34.4 per cent more on October 1, 1903, than on July 1, 1897, and about 39 per cent greater on the first day of this year than on the 1st day of July, 1897; 39 per cent increase in the cost of living and 12 per cent increase, taking the figures of gentlemen on the other side, in wages; and yet they say every laboring man in the country and every citizen of the land ought to be thankful that the Republican party has done so much for the laboring man.

There was one thing, Mr. Chairman, that I did like in the speech of the gentleman from Illinois [Mr. BOUTELL], and that was his statement that he did give some credit to Almighty God for the prosperity which he claims exists in the country. He was the first Republican that I ever heard on this floor admit that; but even he did not dare tell this House what percentage he claimed of the prosperity of the country was due to the Republican party and what percentage was due to the goodness of the Almighty. I assume that the percentage he was going to credit to the Almighty was so small that he was ashamed to state it.

And then the gentleman from Illinois looked around the room and demanded of some Democrat to contradict his statement that the country was prosperous. Well, I wonder, Mr. Chairman, what condition any man here would expect the United States to be in. Would not our country under natural conditions be expected to be prosperous? Does the gentleman marvel that the United States is prosperous? Why, they remind me a good deal of the log of a ship that came into New York some time ago. The captain one day during the voyage was on watch, and he wrote in the log, "Mate drunk to-day." The mate did not like it very well, and the next day when he was on watch he wrote in the log, "Captain sober to-day." So the Republican party comes here and declares that the United States is prosperous, as though it was an unusual thing.

Why, if you on the other side would let us alone—would not by your laws on the one hand help a certain few people at the expense of many others, and by your failure on the other hand to enforce the laws of the land designed to give all men an even chance—and would not divert the prosperity into certain channels and the money from the prosperity into a few pockets, the country would always be prosperous. [Applause on the Democratic side.] It is only because of that kind of work on your side that the country is ever in any other condition; and yet to-day you marvel that we are prosperous, as though it was natural to expect anything else in our country. I expect it always to be in that condition, and it always will be if you will only give it a fair chance, and let the country and the people in it develop the resources of this, the greatest land in the world, and go along on their way in peace, free from your miserable manipulations.

And then they announce that President Roosevelt is so sure of reelection that there is no use bothering at all; that there is no sense in the Democrats putting up a candidate.

Well, let me suggest to you gentlemen on the other side if you think that is so, why are you making all this fuss? What difference does it make to you whom we nominate or what the platform is? And if you are going to beat us anyway, why not keep quiet? You remind me of the boy going through the graveyard, who whistled at the top of his lungs all the time, not because he wanted to whistle, but just for the purpose of keeping his courage up. That is why you talk so loud on the other side now. [Laughter.]

Mr. JAMES. Is it not true that these laboring men at this time are only able to keep up their wages by reason of their or-

ganizations, and not by reason of anything which has been done for their benefit by the Republican party?

Mr. BENNY. I will answer that question for the gentleman. In answer, Mr. Chairman, to the gentleman's question, I desire to say this: I firmly believe that, except in a very few instances, just enough to be the exceptions that prove the rule, no laboring man ever had his wages increased except as the result of united action of his fellows and himself in a union for their mutual advantage. The organization of labor into unions has increased the wages of all these men.

Mr. JAMES. Is it not further true if it were not for these organizations that the monopolies and trusts that have been created and fostered by the Republican party would have crushed the wages of the laboring men far below what they are now?

Mr. BENNY. It would have been so exactly; and I will give you for that the statement of Vice-President Warren of the Central Railroad Company of New Jersey. He was vice-president a few years ago. I was in the New Jersey legislature at the time when the railroad men of the State of New Jersey had a bill in that body similar to a bill which I am told was before Congress, and which was side tracked, for the purpose of compelling the railroad companies of the State to properly safeguard the passengers and employees on their railroads. The delegation from the union went over to see Vice-President Warren and ascertain what he was going to do about it, and this was his answer: "You fellows are getting too fresh. You always want something; if it isn't a raise in pay, then it is some improvement on the road. Now, let me tell you something. Inside of four years from now there will only be half a dozen railroad companies in this country, and inside of ten years from that time there will only be one. Then we will have you fellows by the short hair, where we ought to have had you long ago." That meant simply this: When all railroads are combined and owned by one company, that company with its great power would crush out the unions and have them at its mercy; but the time will never come when a company embracing all the railroads of the country can get the better of a union comprising all the men in its employ. The monopolies would do away with labor unions, and when you do away with the labor unions you will have no American labor, just a lot of white slaves to take the place of the black slaves.

Mr. BAKER. Does the gentleman forget that the policy of protection, as announced by its advocates, is for the purpose, the primary purpose, of enabling the manufacturers of this country, protected by the tariff, to pay high wages?

Mr. BENNY. I know that is the "announced" object of the tariff, but they do not do it, and let me show you how that works on the poor innocents. Here is a knife that I bought in New York at Christmas time for \$3.25. I can buy the same identical kind of a knife, imported from Germany, down in the room below here—in the stationery room—for \$1.86. I wanted to find out how it was that I could buy it there for \$1.86 when I had to pay \$3.25 for it in New York, and the answer was, "Uncle Sam does not have to pay any tariff."

Of course the object, as given to us by gentlemen on the other side, is to raise the wages of the employee. But it does not do that. The employee gets his wages raised when his union is strong and when the finances of the union are in good shape, and are lowered just as quickly as his union gets weak or the finances get low. [Loud applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BENNY. I would like to get about ten minutes more.

The CHAIRMAN. It is not in the power of the Chair to give the gentleman more time.

Mr. BENNY. Is the gentleman in charge of the bill on the Democratic side on the floor?

Mr. LIVINGSTON. I yield ten minutes more to the gentleman.

Mr. BENNY. The gentleman from Nebraska made a statement yesterday that every four years the Democrats have a new paramount issue, and that they do not dare to have the same issue that they stood on in any previous campaign. Let me ask the gentleman from Nebraska if there is not a different issue every day in this House? Is there not a different issue in every war? The issue in the war of 1776 was different from the issue in that of 1812, and by the war of 1846 another issue was decided, and again an entirely different one in the civil war, and a new one again in the war with Spain. There is nothing at all about that difference. Do not different issues come up? Different questions come up to-day from the issues that came up four years, eight years, or twelve years ago.

There will always be different issues, and let me suggest that you on your side can not say what the issues are to be, nor can we on this side reply that we will give you some other issue. The issues of any campaign are the questions which are most profoundly affecting the people at the time of the campaign, and this time you are going to have, perhaps, a different issue than you

ever had before, because the situation is more acute. You point out to us here, day after day, the tremendous business done in the United States, both in imports and exports.

You are as proud of the fact as we are that the United States now has raised itself to the position of number one among the nations in the amount of its exports. We are delighted with that situation. But let me ask you this, who is getting the benefit of it? Do the laboring men who produce these things get it? Do the ordinary citizens receive it, or does it nearly all go into the pockets of a few men who have control, not only of the railroad lines of the country, but every great industry in the land? And there is another question in that connection that is going to come up in the next campaign. You can not keep it down. Neither could we if we wanted to do so.

This is the question: Are the railroad companies of the United States going to be permitted to go on as they have been doing for years past in their miserable freight discrimination, driving out of business one lot of men to make millionaires out of some others, favoring the Standard Oil Company and concerns of that kind, discriminating in favor of one set of men at the expense of other men who want to do business in opposition? You can no more dodge that issue in the next campaign than you can conduct your canvass in a flying machine. We are going to present that to the people of the land. Do you think you can escape discussing that as an issue by shouting "Hurrah for prosperity?"

And, in connection with that, the people of the country are asking to-day why the railroad companies in their freight discriminations are not hauled up by the President or by the legal department of the Government. Why is it not done? The answer which most of our people get is this: That the railroad companies "grease the ways" as they go. You get hurt anywhere by a railroad car or a trolley car, and you proceed to compel the company operating it to give damages for your injuries. The first thing you are apt to find is a judge on the bench with a pass from that company or some other company in his pocket. The man who serves the papers in the case often has a pass also, and some of the jurymen, perhaps, have passes in their pockets. Then how are you going to get equal and exact justice there?

The subsidizing of men in official station by railroad, telephone, telegraph, and other companies is now almost a national scandal, and you on the other side can not escape consideration of that when it is before the people by shouting "Down with free silver!"

Now, the point is made on the other side that in 1896 there were 3,000,000 men out of work. Do you not know that the man who makes up the statistics for this Administration and who favors it in every way he can, Mr. Carroll D. Wright, has said that there are a million men out of work now, and the number is increasing daily. The country right now is one-third as badly off, as far as the laboring men are concerned, as in the very worst time under President Cleveland.

Mr. LACEY. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from New Jersey yield?

Mr. BENNY. Certainly; I am always glad to do so.

Mr. LACEY. Did I understand the gentleman to claim that material in the way of stationery for the House is bought abroad and imported free of duty and sold to the Members free of duty?

Mr. BENNY. That is what I am told.

Mr. LACEY. The gentleman is certainly misinformed about that. No such arrangement has ever been made, and it is a proposition impossible on its face. The fact is we buy at wholesale and give the Members the benefit of the wholesale prices; but the goods are bought here, not abroad, and duties are paid on them if they are of foreign manufacture.

Mr. BENNY. I will say in answer that the knife I have here is a foreign-made knife. I priced it downstairs in the stationery room and was told that they could sell the same knife for \$1.86, for the reason, as they said, that Uncle Sam did not pay duty. I want to say further that I do not think the United States Government, or whoever buys the material for the stationery room, buys one one-hundredth part as many knives as does the firm of John Curley in New York, where I bought this knife, one of the greatest cutlery concerns in the United States, if not the largest one.

Mr. BAKER. Does not the gentleman know that the foreigner pays the tax?

Mr. BENNY. Oh, no; I do not know that. Now, I would like to ask the gentleman from Iowa if he thinks there could be a difference of \$1.39 between the price of a knife in New York and the knife here if the tariff did not enter into it?

Mr. LACEY. Evidently the gentleman must have helped to pay the rent of the store in New York when he bought his knife. The expenses of operation there are a good deal more, and perhaps the retail rates are higher.

Mr. BENNY. Well, if the gentleman thinks that is a sufficient answer I am satisfied.

Mr. LACEY. I want to say this: Of course if you buy at retail

you pay more than you would at wholesale, and if you buy in New York you perhaps pay more at retail than in other places. New York is not the cheapest place in the United States to buy goods at retail.

Mr. BENNY. One other question.

Mr. GROSVENOR. Let me say to the gentleman that in regard to the purchase of articles in the stationery room I have taken the pains to inquire, and they say that they not only never imported an article free, but that they never said that they did. On the contrary, the knives which the gentleman refers to and which they sell to Members I am told are all bought of an American trader who imports them. Now, I want to say to the gentleman from New Jersey that we are to-day selling a great many more knives and cutlery abroad than we are importing from abroad.

Mr. BENNY. That may be. Let me say to the gentleman from Ohio that I never said that the knife was bought abroad. It was made abroad and imported from abroad. The knife that I hold in my hand was bought in New York, but it was made abroad, and the same knife you can buy downstairs for \$1.86 is made in the same place on the other side of the ocean.

Mr. GROSVENOR. But the gentleman gave as a reason that the price of the knife was so low in the stationery room was that Uncle Sam did not have to pay any duty.

Mr. BENNY. All I said was that I was told so. I do not know what Uncle Sam does; what I know is what the man told me. I was told that I could buy it cheaper downstairs, and when I asked how much I could buy a duplicate for he said \$1.86. I said, "Why?" and he said, "Because Uncle Sam does not have to pay any duty."

Mr. GROSVENOR. Who said that?

Mr. BENNY. I do not know his name; I do not know the name of any man down there.

Mr. GROSVENOR. Is not this what the gentleman said, that "Uncle Sam charges no profit?"

Mr. BENNY. No; there was nothing said about Uncle Sam's profit. That is a good suggestion; the gentleman is an ingenious lawyer, and that is well put in.

Mr. GROSVENOR. I am ingenious enough to say that when a young man makes a statement that I know is not true I would like to relieve him from the responsibility of it.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. BENNY. Will the gentleman yield me two more minutes?

Mr. LIVINGSTON. I will provided the gentleman will not give it away to the other side. [Laughter.]

Mr. BENNY. Well, I think they need it. [Laughter.] Do not go away, General.

Mr. GROSVENOR. Oh, no; the gentleman need not worry; I am not going away. [Laughter.]

The CHAIRMAN. The gentleman from New Jersey is out of order in addressing a Member in that way.

Mr. BENNY. I am sorry, Mr. Chairman, if I was out of order; but I saw that the gentleman from Ohio was going away, and I did not know any other way to stop him. If I was out of order in calling him "General," I will withdraw it. Now, what I want to know is if the gentleman from Ohio means that I said anything that I knew was not true?

Mr. GROSVENOR. Certainly not; I think the gentleman was misled.

Mr. BENNY. Does the gentleman not believe the statement was made to me downstairs?

Mr. GROSVENOR. Why, the word of the gentleman is unquestionably to be taken.

Mr. BENNY. Thank you. The gentleman is delightful. Now, Mr. Chairman, as I can not close in two minutes, I will ask that I may have permission to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BENNY. The gentlemen on the other side aver that there were more pianos, more carpets, more pictures in more homes in the United States last year than ever before—because of the Dingley tariff. I answer there were more babies born in this country last year and more deaths, too, than ever before. Is the Republican party responsible for the deaths and entitled to the credit of the babies?

Said the gentleman from Indiana: Just look at the increase in the production of nails in this country during the seven years of prosperity we have contributed. Year after year the quantity has increased tremendously and the price has fallen. When we stop to consider that an American workman turns out twenty-eight times as many nails per day as does the workman on the other side of the ocean, it is not to be wondered at that the number of kegs produced yearly has increased. This, of course, is due largely to improved machinery and better methods here. But who saw

the American nail makers' wages go up to keep pace with the increased production?

But we are told that the bravery of Mr. Roosevelt is so great that all men should vote for him; that he "reached in" and settled the coal strike that threatened disaster to the land. When Mr. Baer, of "divine-right" notoriety, visited the President at the White House and roundly insulted him and told him to mind his own business and keep his hands out of the railroad and coal companies' affairs, why didn't he handle that president as Andrew Jackson did the United States Bank president who threatened him? Jackson's reply was, "By the Eternal, if you do, I'll hang you to yonder branch." Why didn't our President immediately cause proceedings, civil and criminal, to be taken against Mr. Baer for violation of the laws of the nation?

Mr. Chairman, your party can yell "Down with free silver!" and "Away with Bryan!" till it gets blue in the face without in the least altering the situation next November. You can not cry "Stop thief!" and have the people in the rôle of the policeman run away on a false trail. You can dodge and squirm all you please, but you must return again and again to these questions which the people insist shall be discussed and disposed of in this year of grace 1904, viz:

1. What of your stewardship? How have you exercised the responsibilities of power placed with you seven years ago?
2. Wherein is your candidate better or worse than he on the Democratic ticket?
3. What of the trusts? Are they to go on eating up the people and the fat of the land?
4. What of railroad freight discriminations and their effect upon our business men?
5. How about a proper modification of the tariff and the passage of laws so that our people may buy their own manufactures at home as cheap as the foreigner may purchase them abroad and may obtain the necessities of life at a much lower figure?
6. Why have the wages of our workmen been increased (your own Republican figures) only 13 per cent under this great prosperity you claim, while the cost of the workmen's living has increased from 30 to 40 per cent?

And to these and other questions you must give answer, and that direct.

Mr. BEDE. Mr. Chairman, I had not intended to make any remarks at this time or to occupy the attention of Congress at this session. I am altogether too modest to think that the country needs my counsel, but some of my friends have insisted that the world has been waiting too long to hear from me and that I should speak at this time. [Laughter.]

First, in reply—and all the reply I shall make—to the gentleman from New Jersey [Mr. BENNY] is to pledge him that if he will get the Democrats to stop abusing Grover Cleveland I will induce the Republicans to stop abusing Bryan. They are both working for the interest of the Republican party and we can afford to make that promise.

I wish now formally to invite the Democratic party through its leaders in Congress to disband. I have been studying the interests of that grand organization for a long time. I find that as the factions of that party are lined up now neither can have a two-thirds vote in the next convention, and that therefore they can not nominate a candidate, and that the only safety for them is to disband and to come into the Republican ranks—to come in with the party that is doing things. Then at the end of four years they can go back without any rules, for if there is anything that ought to be unruled it is the Democratic party.

Thus they will get rid of their two-thirds rule by dissolution and can nominate a Presidential candidate in 1908, but to-day they are so torn with factions that they could not nominate a candidate if they went into a convention. Therefore, in their own interests, I ask them to come into our party, for they believe in everything that we believe in. I see Democrats looking in my face now who believe in the gold standard, who believe in expansion, who believe in the Panama Canal, who believe in everything that the Republican party is doing. Yet because of their environment or association or inheritance they are still voting the Democratic ticket, and they know not why.

Therefore, I repeat, I invite them to come into the Republican party and share in the blessings that we are scattering broadcast over the whole land. I think that more than 50 per cent of the Democrats in Minnesota believe in Theodore Roosevelt. I believe that the next election in Minnesota will give him at least 100,000 majority, and many of the votes cast for him will be Democratic votes.

I believe that if the Democrats should nominate Mr. Cleveland, or Mr. GORMAN, or some man representing that faction that even Mr. Bryan himself would cast his vote for Theodore Roosevelt. Why not, then, come in and make it an era of good feeling? These

eras of good feeling, like panics, come and go at certain periods, and as we have not had one for about eighty years, I think it is the Democratic party's turn to come in with us this time and make another such an era, and also make my prophecies come true. Then, after another four years, they can segregate themselves, if they see fit, and organize their party anew.

I realize that we need two political parties in a great republic, and for that reason I am not here to say one word in censure of a man because he is a Democrat. If we were all Republicans or all Democrats to-day we would soon separate, because one element would be radical and the other conservative. And so it is quite the same thing to me if you call one man a "Republican" and another a "Democrat," as it would if you called one man a "conservative" and the other a "radical," though they belong to the same party.

Therefore, there is no quarrel between us, and as I have been teaching the doctrine of good will throughout the West I have come here now to teach it to you gentlemen on the other side. I wish to say that the only opposition I have heard to President Roosevelt is that which comes from a little bunch of Populists down in Wall street. [Laughter.] By Populists I mean people who deal in fiat. We contended against fiat in the West until we wiped it out. We went out when we saw a Populist and threw salt on his whiskers and caught him and brought him into the Republican ranks. [Laughter.]

We have wiped out Populism in the West, and it will soon be determined that this little bunch of Populists in Wall street can not dictate the nomination of either party. We have put 100 cents in every dollar of our money, and it is now time for them to put 100 cents of assets behind every dollar of the securities they are selling to the people. These men, I think, may be properly designated as pontoon patriots, who float their little paper ventures on unmeandered and boundless waters to nameless ports, and they may as well know now as at any other time that they can not defeat the renomination of Theodore Roosevelt next June.

They are making an effort to-day to create a sentiment throughout the West and make the people there believe that there is such opposition here that he will be defeated if renominated. They are trying to get an echo from the West, but the echo refuses to come back, and so the West will do its duty and the East will do its duty, and he will be triumphantly reelected. Therefore, I invite the Democrats, who are hopeless in this campaign, to come in and join us and make it unanimous, and make this campaign one grand sweet song throughout a happy land.

Mr. Bryan asks, "Why do you want to reorganize? What are you going to do when you get reorganized?" It is quite clear that neither one faction nor the other is going to win, and thus you will be torn with dissensions until you resolve to dissolve. It is a great deal better just to disband at once and come in and be a part of us. You will be far better off when you get through with the campaign if you will come in and vote the Republican ticket this year. You will get rid of all the isms that have been distracting your party so long. You have Johnsonism down in Ohio, though they got pretty well rid of that this year, and the only way to get rid of it is to do as the Ohio folks did last November, and do it plenty.

As you have done with Johnsonism in Ohio so you should do with Bryanism and all these other "isms" throughout the whole country, and when you have wiped them all out you can start in on the old basis, for we need the Democratic party in our business. No man ever made a harness without a hame strap and a hold-back strap. You need a breeching on your harness, especially when you are going down hill, and, as some cruel wit has said, the country is nearly always going down hill when you Democrats are in power. But we want you to reorganize on old lines and get together again, for nothing tends more to the safety of the country than to have two strong parties contending for supremacy.

And let me ask, Who is the leader of the Democracy to-day? No one on the other side of the House can tell. There is no recognized leader of that party. The distinguished gentleman from Mississippi [Mr. WILLIAMS], I admit, leads, and ably leads, his party in Congress. But his modesty as well as his geography prevents him from grasping the seats of the mighty and becoming a candidate for the Presidency at this time. So there is no leader; and because there is no recognized leader and you are rent in factions we urge you to come to us in your grief and let us solve your problems for you and bind up your wounds.

We have heard a great deal from pessimistic speakers on this floor about some organizations of wealth. No man, whether Republican or Democrat, believes in monopolies. But what are these great aggregations of wealth that we have to-day? What are they doing? Are they destroying the country, or are they adding to its happiness? Could you do the manufacturing business of

the world to-day without these aggregations? Why, sir, fifty or a hundred years ago manufacturing was a simple thing.

At every crossroads was a shoemaker who made boots and shoes for the neighborhood; at the same crossroads was the blacksmith and the wagon maker who made the wagons and the farm implements for that community. They had no railroads then, and but little water transportation. The country was divided up into little communities, each working for itself. But now the world is changed. You have reached out. The old firm of Jones & Smith, or whatever it may have been, is not able to-day to do the business of the world. If you should cut down the aggregations of wealth which are conducting the great manufactures to-day, you would cut off all our foreign trade, because then we could not compete with the other nations of the earth.

I was in a great shoe factory up in New York State the other day. More than a hundred different people, aided by as many different machines, were each doing some little part of the work. No one was making a whole shoe. The old shoemaker, it is true, has been thrown out of employment and is perhaps not so happy as he was, for he may have been too old to learn a new trade. But shall the world stop while some fellow is learning how to "catch on?" Shall we not rather help him to "catch on" elsewhere while we go on building up these centers of wealth that are engaged in manufacturing, not alone for our own people, but for all the nations of the earth? Does any man believe that you could have the great locomotive that to-day aids in the transportation of the world if there were not millions of dollars somewhere engaged in the manufacture of that wonderful machine.

Can you go back to the conditions of fifty years ago and still have the blessings that you enjoy now? Why, sir, at that time \$100 at a country crossroads was sufficient capital for the little manufacturing establishment. But now the same implements and many more—the fruits of American genius—are made at less cost on an infinitely larger scale, which requires a vast capital under a single roof with thousands of men. If you are going to have the civilization that we enjoy to-day, you must have aggregations of wealth conducting the manufactures of our country.

Fifty years ago there was none of the modern machinery that is used on the farm to-day. The cotton compressor was unknown at that time. You could not have that great machine if you had not large capital somewhere manufacturing it. The great farm implements that we use in the North were not known then because American genius had not invented them. But to-day they are known and are needed. If you cut off these aggregations of wealth and destroy them by means of the drastic legislation that I have heard suggested, you would do away with all the progress that has been identified with the past generation.

We have heard a great deal during the last few years—and I am not going back of 1896—on this silver question. In the campaign of 1896 a great many people told us that wheat and silver went together. They have not been going together very much since. I doubt very much whether they are going together anywhere.

Certain things have happened in the world that have affected both wheat and silver, things that had no necessary connection with each other. When we built the Pacific railroads through the Rocky Mountains we reduced the cost of producing silver and forever knocked out the previous ratio between the two metals. If you are ever going to get "sixteen to one" again, which Mr. Bryan asks to have reaffirmed in your platform, you will have to withdraw the railroads from the Rocky Mountains and repeal a generation of civilization. Whenever you do that you can have the old conditions, but not until then.

Why do I say that? Because 80 per cent of all the gold produced in the world requires no smelting—only 15 or 20 per cent requires smelting, and transportation has not seriously affected that question. But all the silver produced does require smelting, and therefore transportation has affected it. You have destroyed the ratio by the progress of civilization, and you can not get it back unless you give up the civilization you now enjoy.

About the same time you were building those railroads which have crossed the continent and reduced the cost of producing silver they were doing something over in Africa. They dug a canal—the Suez Canal down in Africa—that brought the Indian wheat fields 4,000 miles nearer to the markets of the world. The product of India was dumped upon the markets of Liverpool and thus brought into competition with the products of Minnesota.

Those two facts—the building of railroads in America and the building of canals in Africa—had a bearing upon the ratio between gold and silver and between wheat and silver that was not calculated on in the campaigns recently passed. A little study of history will tell you what it was that disturbed the ratio, and point out the only way that you can bring it back.

I have said that most of the Democrats were in favor of the Panama Canal, and I believe that with the digging of that canal and the development of waterways in the Southern States that

the old South in the next generation will have a progress that it has never dreamed of. If we continue along the lines we have followed in the last generation the South will be the greatest beneficiary of Republican policies in the generation to come. Why, then, should you not accept my invitation to disband and help this good work on?

A great many people think, as some of our friends on the opposite side would have us believe, that the rich men own all the money of the world. Let me merely suggest that the poor men own the money and the rich men own the collateral, and that if you can frighten the poor men of the United States you can make hard times in ninety days. Ninety per cent of all the business men in the country are doing business on credit. They handle money, but they owe it. The poor man draws his wages and puts them in a bank, and he owns the money and it is his.

I was in the city of Cleveland last fall, and I found that one single savings bank had \$46,000,000 in deposits; \$46,000,000 in a single city in a single savings bank, and not the money of the rich, but the money of the toilers of that metropolis of Ohio. So it is all over our broad land. In every city you find in the banks the hoards of the poor, and not the hoards of the rich. And in ninety days, by disturbing the confidence of the poor and making them withdraw and hide their cash, you can bring a taste of the hard times that you had in 1893 and 1894 and 1895.

And let me say in passing that it does not make so much difference whether the tariff is high or low as it does whether it is stable. Stability makes business secure and the wages of the poor certain. Tariff agitation for a year or two in a political campaign, another agitation for a year or so before Congress meets and takes action, disturbs business beyond all description, and it seems to me that if the two political parties are wise in the future they will never make a national campaign on a question that is so closely connected with the business interests of the country. I believe the Republican party itself is wise enough to see when corrections are needed and to make them without agitation and with the full approval of the American people.

It may be that the people of my State in a little time will ask for some modification. There are some good people in Minnesota to-day who think that Canadian wheat ought to come "across lots" on its way to Europe. They feel that the tariff of 25 cents on wheat does not bring anything to our Treasury, and it keeps a great deal of business out of Minneapolis and Duluth. There is a great deal of that feeling in the North and West. Whether it will assert itself so formidably that it will ask action of the Republican party or not I can not surely say, but I believe it will do so very forcibly and very soon.

Because of our delay the Canadian people have builded within the last few years elevators with a capacity of 20,000,000 bushels on the north shore of Lake Superior, and are taking grain to Liverpool through Canadian territory that would naturally pass through our ports, and by the cost of transportation and the handling and insurance would leave millions of dollars among our people.

Let me say also that the State of Minnesota is changing from wheat growing to diversified farming. To-day we have more than 800 creameries within our State, and in another generation, unless through our agricultural experiments we can raise the yield of wheat from 15 to 25 bushels per acre, we shall cease to be a wheat-producing State. We hope to increase that average yield, but if we do not wheat will pass away from Minnesota as its principal product, for we can make more money at something else, and in another generation it will be a State of diversified farming; and if we shut out Canadian wheat the great flouring center that you have known at Minneapolis will have passed away forever.

In a very few years her mills will need the harder wheat of Canada to mix with the softer wheats grown farther south if we are going to make that a great flour-manufacturing center and let it have the supremacy that it has held for a generation. The handling of a hundred million bushels of Canadian wheat would mean at least \$15,000,000 for the railroads; it would mean much more in the other industries that would be built up by the side of the great grain business in Minneapolis and Duluth, and it is a subject worthy the serious consideration of the Republican party for the Canadian product will soon exceed those figures.

But I am not here to start an agitation upon the question. I feel that the tariff should not be a campaign issue; that it should be an issue among the party leaders; that they should know what is wisest and best for our country, and do it without long agitation and the disturbance of the business interests of our people.

I do not know what the leaders think about that because I have not consulted with them, but I believe that they will hear from the West upon that question, and when they do hear I think they will yield to the reasonable demands of our people. They can, at least, correct the present law, which requires our mills when grinding Canadian wheat in bond to ship the bran and all the other refuse out of the country. This is impracticable, and be-

sides we need these by-products for feed for our stock in the West. But enough of this for the present.

A great many Democrats—and I see some facing me that I think a great deal of—are afraid of what is going to happen in this country. Let me assure them that nothing is going to happen very serious very soon. I want to congratulate the Democratic party itself on some improvements that it has made. I was glad to find when I entered Congress for the first time this year that the Democrats of Ohio had made a vast improvement in exchanging the honorable Mr. Lentz for Judge BADGER of that State. [Laughter.] That seems to me one of the greatest improvements their party has made within my memory.

A great many Democrats are afraid that we are going to have an empire here. They are going to try to make that one of the issues of the next campaign. They tried to make it one before. Mr. Bryan said, in his speech in New York the day before yesterday, that he greatly regretted the people did not take to that issue, and he will strive to keep that as a party issue. But, gentlemen, we have been getting rid of empires ever since we were a Government. One by one we have driven them off the continent.

You remember that we had a dispute with the King of England for a few years, and he let go of this part of the world and went away. Then we are soon to celebrate the purchase of Louisiana Territory from the first consul and soon-to-be Emperor of France. We got rid of his dominion upon this continent. It has been the policy of our people that they do not want an empire here. We bought Florida, and got rid of more empire. We took Texas as a slice of Mexico, and got California and all that territory to the westward, and gradually got rid of the Spanish Empire. Then we continued by purchasing Alaska from Russia, and got rid of another empire.

And again, looking out across the Pacific, we saw Queen Lil on her throne. We told her to "come off," and we took her little country in and have given liberty to her people. So, one by one, we have been getting rid of empires, and we are not going to make one of our country. Why, when our Government was formed our fathers hardly dared to leave the selection of President, Senators, and Representatives to the people. For many years the Congressmen fixed the nominations for President. The people would not permit that to-day.

In all our history we have been steadily tending toward a government immediately in the hands of the people. Out in the State of Minnesota we are coming, through our educational system of uplifting the common people, to the point that they understand quite as well as you or I what is the best interests of this country. We are now beginning there what I think our southern brethren should begin soon—the consolidation of the country schools. We are taking half a dozen country districts and uniting them into graded schools, and we shall soon be teaching agriculture in them also.

The man who teaches a graded school in the country can have his little farm by the side of the schoolhouse, and agriculture can be taught while he is teaching the literary branches. And soon it will be possible for every boy and girl in Minnesota to secure a graded school education without leaving the parental roof. When this system is adopted by the whole country, North and South, East and West, you will find there will be no danger of making an empire of our country, and every Democratic fear will be allayed.

But instead of making an empire we shall set, as we have ever set, an example to the other peoples of the earth in the building of republics. I know that some object even to that. Gentlemen on the other side have said that the President acted a little too quickly on the Isthmus, in doing what everybody wanted done, and incidentally giving aid and comfort to a Republic. Yet there is not a Democrat on this floor who, if he had the casting vote, would not give that vote for the approval of the Panama treaty and the building of the canal. The only objection I have ever heard raised to it was that by digging a canal we would let the two oceans into a combine, but that is not a very serious objection. [Laughter.]

I realize that it is pretty hard work for a Democrat to leave his party, and in extending this formal invitation to him to come into the Republican party and be one of us, I know how hard it is for him to do it. There is a little railroad down in southern Minnesota, in a district represented by one of my colleagues, a few miles long, with a daily mixed train that always gets to its destination too late for a connection.

A lady who was riding on this train one day complained to the conductor that the train was going too slow, and, finally, after many importunities, asserted that she could walk faster than the train was going. The conductor retorted by asking her why she did not get off and walk, and she said that she would do so, but her people would not be looking for her until the train got in. [Laughter and applause.] So I realize how hard it is for the Democrats to get out and walk faster than their party is going,

as nobody will be looking for them; but nevertheless I extend the invitation in the kindest spirit and with no feeling of hate.

I was indeed a little sorry that we could not have leaders in this House upon the different sides both from one section of the country. In my reading of history I remember that a gentleman from the South has always been pitted against a gentleman from the North, and my only regret is that the leader on the Republican side and the leader on the Democratic side were not both from the North or both from the South, that we might wipe out these old sectional differences and forget them for evermore. Sometimes, unfortunately, the mere fact that the leaders live in these sections arrays the people behind them against each other, and I would gladly remove even this seeming hostility.

And now, in spite of all the pessimistic speeches we have heard, I wish to suggest that the world is getting better and brighter all the time. The conditions which existed a generation ago would not be tolerable now. You are raising more cotton in the South than you did with slave labor before the war, and you do not want to go back to that. The conditions in the South are happier to-day than ever before.

We heard some debate upon that yesterday, and while there may be some difference of opinion, I think if we throw all partisanship aside everyone will admit that the South is happier and more prosperous and her joy fires burning brighter to-day than ever before under any condition or under any party.

Surely the North is more prosperous than it was ever before; the volume of our manufactures is greater, our consumption at home is greater, our exports abroad are greater than they were ever before, and the people are happier because everybody is prosperous, thus bringing equality of condition, and the real secret of happiness is, in my judgment, this equality of all the people; and one of the reasons why the people of the North are a little happier than the people of the South is that there is more feeling of equality between all the people and less distinction, due, perhaps, to a more universal prosperity, and you can never have true happiness except where there is that feeling of equality toward the fellows with whom you associate.

This feeling of equality is the sweetest happiness, and through the prosperity that we have experienced in the last six or eight years we have lifted up the laboring man until he has sufficient means to be on an equality with all of his fellows, even with his employer, and—

Mr. SCUDDER. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. BEDE. Certainly.

Mr. SCUDDER. I would like to ask the gentleman whether that feeling of equality could possibly prevail where the races are different?

Mr. BEDE. I could not hear the gentleman.

Mr. SCUDDER. I would like to ask the gentleman whether that feeling of equality to which he has made reference is possible where the races are different? I ask whether it could, in his opinion?

Mr. BEDE. Well, I would hardly try to settle the race problem here to-day.

Mr. SCUDDER. I thought the gentleman was touching upon it.

Mr. BEDE. No, no; I did not. While my words might seem to refer to that, I did not mean to do so. I realize the South has certain troubles of her own. We know that peculiar institutions make peculiar burdens. For a few hundred years a certain part of our country had a peculiar institution that has brought its own peculiar burdens which they of that section must needs bear. I for my part will never add one feather weight to the burden which is resting upon them. [Applause on the Democratic side.] And I have only invited you into the Republican party that we might help you to solve that problem along with all the rest. [Applause on the Republican side.]

I think I have been in every Southern State. I have met a great many Southern people. I know they are good people; and if they were not, I would not invite them into the Republican party. The very fact that I invite them is an assurance that I believe they are the right kind of folks.

Mr. THAYER. Our good friend has been inviting the Democrats to join the Republican party. I want to ask him if he is led to that desire from fear that a large part of the Republicans will vote against the stagnant party, the "stand pat" party, in the next Presidential election and come over with the progressive Democratic party?

Mr. BEDE. I would ask the gentleman from Massachusetts whom he is going to nominate? [Laughter on the Republican side.]

Mr. SCUDDER. That is going to be decided by the Democratic convention.

Mr. THAYER. I should be pleased to answer the gentleman if I had the power in my hands to nominate, but in the Demo-

cratic party we have no bosses; we have no one man who nominates the President.

Mr. BEDE. Mr. Chairman, I live in a State in which they nominate Congressmen by primaries, where all the people have a vote as to who shall be Congressman. I understand there is a certain section of the Democratic party in New York where Congressmen are sent to Washington by appointment. [Laughter on the Republican side.] I understand there are certain others of this House that would try to exclude a great many people from the right of suffrage. I never heard of a Republican introducing a bill to repeal the thirteenth, fourteenth, or fifteenth amendment.

Now, I am not going to say whether these amendments were right or wrong when they were passed. I am merely going to say to you that we elected a President that was taken away from us in 1865, and we might have done differently or have done the same thing in a better way had he lived; but the Republican party believes that even if mistakes have been made the best way to right them is to go ahead and not to back up.

As I have already intimated, it is far from my heart to say one word that would be a burden to gentlemen from the Southern States. I know we have had a great many people in Minnesota from the South, not alone from Southern States like Virginia—my predecessor in this House was from that State. We have had good friends from Missouri, too. We had friends from Missouri who came up there and introduced the Missouri system of finance. [Laughter.]

They distributed money on horseback, and we kept them there for twenty-five years. [Renewed laughter.] We do not let any Missourians get away when they come to us with malice aforethought. We have a sort of hospitality and try to keep them there, and try to reciprocate the kindness that we know would be extended to us in that great Commonwealth, one of the best and one of the most abused States in the Union.

Mr. GAINES of Tennessee. Will the gentleman yield to me?

Mr. BEDE. Certainly.

Mr. GAINES of Tennessee. What did you do with the mayor of one of your great cities in Minnesota? Is he in for twenty-five years or for life? [Laughter.]

Mr. BEDE. He is not in yet, and I hope he is innocent. He was recently a Democrat and had been a Republican only for six months when he was convicted. [Laughter on the Republican side.]

Mr. GAINES of Tennessee. That shows what a good man does when he gets into bad company. [Laughter.]

Mr. BEDE. We hadn't had time to reform him.

Mr. WILLIAMS of Mississippi. Will the gentleman yield in a good-natured way?

Mr. BEDE. Certainly.

Mr. WILLIAMS of Mississippi. How much advantage has the gentleman over this mayor that he refers to?

Mr. BEDE. Let me say to the gentleman, and to this side of the House as well, that the gentleman from Iowa, Mr. HEPBURN, received my first vote in the campaign of 1880. I want to admit frankly, and you will see it in my biography in the Directory, that I voted the Democratic ticket a few times, and I know how hard it is. [Laughter.] My first vote and my last vote were Republican, but in the meantime I voted the Democratic ticket, and it is necessarily the mean time when you do a thing like that. [Great laughter.]

Mr. WILLIAMS of Mississippi. Instead of that being a mean time for the gentleman, wasn't it a tolerably good time? Wasn't he United States marshal during that time?

Mr. BEDE. I was United States marshal for a very few months. I served during the war of the strikes in 1894, and then resigned, a thing which proves that I was not a real Democrat. [Laughter and applause on the Republican side.]

Now, Mr. Chairman, I have been saying a great many things. I came here with no set talk to make, and had not intended to take up the time of the House. But let me add that the Democratic party has been reaching out for the Populist vote of the West, while often ridiculing the Populists, and yet they speak, as the gentleman recently did speak on this floor, of our abusing Mr. Bryan. I read in a Democratic paper in St. Louis not many years ago of a Populist convention, and that paper described the Populists as "an aimless and useless caterwampus of nincompoopie gagsquirts and rapsallions." [Laughter.]

We have never said anything so mean against anybody that we have been trying to get into our party, and I shall not say anything so mean against any gentleman on that side of the House or any man that you may seek to nominate as a Presidential candidate for your party. I know Mr. Bryan personally and well, and have the highest regard for him. I believe that he is sincere, and all the more dangerous because he is sincere. I know Mr. Cleveland fairly well. I think he is one of the great men of the country.

I believe that ultimately his Administration will be looked upon

as one of the best in our history, though it is one that the Democrats themselves now abuse the most. Now, if I am willing to forgive both Mr. Cleveland and Mr. Bryan, will you Democrats do as much? [Laughter on the Republican side.] I want this to be an era of good feeling. I want you to love one another and to love us, and stop sitting up nights hating each other in your own party. We do not do that out in Minnesota. To be sure, we have pretty long days in the summer, and the sun sits up nights to shine for the farmers up there and does help a little bit in the prosperity, I admit; but it is due largely to the Republican policies that help the sunshine. [Laughter.]

Besides, we have got improved machinery out there. I remember distinctly as a boy on the Western Reserve in Ohio that they used to cut their grain with a scythe and with an old-fashioned cradle and a sickle. We do not do that now. You can not sell anything to a farmer in Minnesota that he can not sit down on. [Laughter.] Things are coming our way.

I saw a farmer in the district of the chairman of this committee [Mr. TAWNEY], in the southern portion of Minnesota, a year or so ago, who was out cultivating his corn along the roadside, and one of the rural mail carriers, on a route the gentleman from Minnesota had had established, came along and handed the farmer his morning paper and his letters as he was cultivating his crop. He had an umbrella or a sort of canopy over his cultivator, and he went along reading his newspaper and cultivating his mind while he was cultivating the soil, and that is why you get that sort of a gentleman from that sort of a district. [Laughter and applause.]

I am only asking you Democrats to be full-fledged Americans; just to come in out of the wet while you wait, and be like us. Out in the West I saw a few years ago a little party of gentlemen talking of their different nationalities, for we have everything there, and among the gentlemen was a Scotchman, an Englishman, a German, an Italian, and finally they came to one fellow who said that he was a Norwegian, but that he had been "neutralized." [Prolonged laughter.]

I am willing you should be Democrats if you will just be "neutralized," just be full-fledged Americans and belong to the whole country. Once upon a time I know there was a little difference between the North and the South, and then every relative I had on earth over 18 years of age was in the Union Army. My good old father is sleeping over here in Arlington to-day, but that does not make me hate any man that comes from the South.

The statute of limitations has run on that business, so far as I am concerned, and I am willing to take you into full fellowship just to let you disband and get rid of your two-thirds rule, and in four years come out and elect for President the gentleman from Mississippi [Mr. WILLIAMS], if you can. I want to find some way to promote him. [Laughter and applause.] And the world is not so bad as it has been pictured by some of those boys who were talking recently. When they have lived longer they will see things differently.

I used to think sometimes myself that things were not just right, and I have not the slightest doubt now that I could run this country better than it ever was run, but there are a lot of you fellows who will not let me have my own way, so I have to compromise with about 80,000,000 people, and it is pretty hard to lead the country exactly right when one is compromising with so many. But there will be no danger to the country while I am here in Congress. I won't let anything happen on this side. [Applause and laughter.]

So throw away your fears and throw away all those old socialistic doctrines that you can not put in practice here. We have got to run the Government, and to do so we must have five or six hundred millions of dollars a year, or else we can not go down South and scoop out the rivers that are too shallow and bank up those that are too deep. We are doing everything that you want us to do, and we can not do it without an abundant revenue, and while you are putting on that abundant revenue let us put it on where it will do the American laborer the most good. [Applause on the Republican side.]

The world in a sense is smaller than it ever was. Did you ever stop to think of that? I see a gentleman here from Louisiana. Now, when the battle of New Orleans was fought down in his State in 1815 peace had been declared for two weeks in Europe, and the world had not heard of it this side of the Atlantic, and we could have gone on killing Englishmen for a couple of months before the news got here. It does not travel that way now.

In 1898, when Dewey lined up his ships for battle in Manila harbor, I am told that fact traversed 20,000 miles, over continents and under seas, and was ticked into the White House here in Washington in just thirty-five minutes. The world in one way is getting smaller, and we are getting closer together, and our country is becoming a world power with interests common to all mankind. Just at the close of the Spanish war a friend of mine, who was rather opposed to expansion, was going from Paris to Rome on a modern railroad train—made in America, under our

Republican industrial system, by the way, and shipped across the ocean—and on that train he fell in with General Garibaldi, of Italy, a gentleman he thought was a Scotchman at first by his conversation; and in talking over American affairs and our victory Garibaldi asked what America was going to do now.

My friend did not know. He was pretty modest, as every American was before the Spanish war. But General Garibaldi said, "You have become a world power, whether you will or not." Said he, "There is not a meeting of a cabinet in a capital of Europe but the first question asked on any subject that arises is, What will the United States of America say about it?" They can not do business unless they know what our opinion is. The thought of America is to-day dictating the political thought of the world. We have lifted our standard higher than any other nation, and we are teaching other nations how to lift theirs. [Applause.]

We erected a Republic here; and Mexico followed; and the States of Central and South America followed Mexico. Then we threw the Monroe doctrine around them; and Monroe was a pretty good Democrat. And as we had "an era of good feeling" under Monroe, why can you not come in now and make "an era of good feeling" under Roosevelt? Just make it unanimous this year for once! [Laughter.] You have not done anything so remarkable or significant in a long while. It will rid you of all your bitterness and save you a lot of medicine.

Get all this vinegar out of you. Come in, and we shall have the jolliest time in this Congress that you ever knew. And then four years from now you can segregate yourselves and select a leader that is a leader. Let us not have any dispute over the silver or gold standard, because that question is academic. The world has moved along. The gold standard is here to stay, whether Mr. Bryan wills it or not.

Just come in and be good natured about it. Do not make any more of these bitter speeches. It does not pay. They may read well down in the South, just as some bitter speeches on our side may read well in the North. But they will not read well after a while. They may be "a good enough Morgan for the campaign," but that is not the kind of stuff to educate young America on.

It seems to me that the interests of this country are too great to permit us to give up our time to these petty wrangles, and I look forward with impatient joy to that good time coming when all these little whirlpools of earthly hate shall be lost in the great ocean of God's love. There are other points that I would like to raise, but I see my time has been exhausted.

Mr. HEMENWAY. Go ahead, you can have all the time you want.

Mr. BEDE. Thank you. I would like to suggest to this House, not alone to one side of it, that the Monroe doctrine to which I have referred is just as big as the United States Navy, and no bigger. [Applause on the Republican side.] If you should destroy our Navy to-day you would have no Monroe doctrine tomorrow. If you build up the Navy you extend the Monroe doctrine, and you can do as you will with it.

I believe that the policy of this nation, if we are to be a great nation among the others of the world, is to have such a Navy as will enforce those laws that we have laid down, or else withdraw the law and not pretend to its enforcement. I am not pretending to say how much this House or any House shall spend for that purpose; but I am here to say that the people of the West stand for that thought; that they are willing you should do whatever is reasonable to help to make this the greatest nation in the world, as we think our State is the best, if not the greatest, in this Union.

I may be excused if I tell some of my friends here that we have a school fund of \$15,000,000 in our State that we use in the manufacture of citizens; \$15,000,000 with which we are buying the bonds of other States, invested in a permanent school fund. I would that every State of the South had as simple a problem in the education of its youth, black and white, as we have in our great Commonwealth. I know that you have the double standard of schools down there, and must needs have it. I would that your burdens were lighter than they are, and that your progress might be greater; but I urge again that the next quarter century under Republican policies will give to the South more progress than it has known in the last hundred years.

You were devastated by a civil war; you have had the burden of two races to educate and to uplift. One generation has passed away, and you are only now coming into your inheritance. We want to build the Panama Canal to help you, and yet your party at the other end of the Capitol is holding it back. Why not pass the treaty and have the work begun? When we first talked of that canal it was to be built so that the Pacific coast States could get to Europe; but the Senate has been talking, and now we are going to dig the canal so that the Atlantic States and the South can get to the Orient. The world has turned around while the Senate has been talking about these things. [Laughter.]

We have been trying to help you for a long time, but you re-

fused to be helped. Now, go to your friends and tell them to pass that treaty. Tell them to let the work begin, to let Republican progress march on, and it will be for the uplifting of your States more than it will for mine. The South has more at stake in the Panama Canal than any other part of the Union. The city of New York, the city of Baltimore, and a few Atlantic coast towns are the only ones that have any great interest in it, and we are doing it because we believe that it is necessary for the progress of the nation, and incidentally for the uplifting of the commerce of the South.

I look for that time when New Orleans will be one of the great cities of our continent, perhaps the greatest exporter upon our continent. I look for Mobile to have a marvelous growth, and the building of that canal and the development of the Mississippi may reach in its blessings to St. Louis, and perhaps through the drainage canal even to Chicago itself. And when all these plans for progress have been carried out the South will then approve of Republican policies, and it might just as well come in and vote for them now. [Laughter.]

Oh, we have heard some very pessimistic talk from the other side, but the world is not very bad after all. I have heard fellows find fault before. I met a friend of mine once who was kicking very hard. He had just come out of a saloon. He told me he had been buying some lining for his underclothes. [Laughter.] Why, he said:

That his horse went dead and his mule went lame,
And he lost six cows in a poker game;
Then a hurricane came on a summer day
And blew the house where he lived away;
And an earthquake came when that was gone
And swallowed the land that the house stood on.
Then the tax collector, he came 'round,
And charged him up with the hole in the ground.

[Laughter.]

He thought that was carrying the single tax a little too far. [Laughter.] But if you could analyze his case, and analyze the case of all complainers and kickers, you would find that out of a hundred of them at least ninety ought to go out and kick themselves. They do not improve the opportunities they have, the opportunities that lie at their doors.

I have had occasion to go out in my State to induce the farmers to build creameries. It is sometimes the hardest thing in the world to induce people to do the thing that is for their own interest. I have gone into little places in the backwoods where they kept two or three cows, and set the milk on a shelf in the living room, where they discussed Democratic politics and chewed tobacco, and did a lot of things. And when they brought their butter into town you could taste every member of the family. [Great laughter.]

They did not meet halfway the opportunities that they had. That is the complaint I have against you Democrats over there. You have now an opportunity and a cordial invitation to vote the Republican ticket, and you refuse. You have an opportunity to upbuild the South and make it as prosperous as Pennsylvania and Ohio, and you decline to do so. I sincerely hope that in another generation there will be more spindles in the Southern States than in all the rest of the world. I want to see every waterfall in Dixie turning spindles and giving employment to blacks and whites alike. [Loud applause.]

I want to see you so prosperous that you will indorse what I am saying now. [Laughter.] Why, when I hear one of those Democratic speeches it reminds me of an incident that occurred once in a little western town where a "Mr. Day" was wedded to a "Miss Week," and a great many people regretted the loss of time. [Laughter.] But a country editor who had a penchant for poetry removed all sorrow, if he did not dry every eye, with the lines:

A Week is lost; a Day is gained, but why should we complain,
For soon there will be Days enough to make the Week again.

[Great laughter.]

Mr. WILLIAMS of Mississippi. May I interrupt the gentleman?

Mr. BEDE. Certainly.

Mr. WILLIAMS of Mississippi. On behalf of the history of literature, I would like to have it go into the RECORD that George D. Prentice was the author of those immortal lines.

Mr. BEDE. I am glad to pay any tribute to the memory of George D. Prentice, and may every Democrat be as happy as he. I know that the Democratic party needs a good deal of my advice. [Laughter.] I have given it a great deal in my own State when I belonged to it [laughter] and when I did not. And I think I can speak more convincingly, as I can more impartially, than if I did not know the burden of its song.

It is hard for the Southern people to vote the Democratic ticket and at the same time to believe in the gold standard; to believe in the Monroe doctrine that we are carrying out; to believe in the Panama Canal; to believe in our expansion policy in

the Philippines, and to believe in protection, as many of them do. I have talked with business men in New Orleans and in Mobile who believe on all these questions as I do, but when it comes to election they do not vote as I do. This, I think, is due to their environment, and I am willing to go down there and help them to change things. I would that the South might enjoy every blessing known to the people of my State. You, gentlemen, are bearing your own peculiar burdens, and it is perhaps not practical for the Federal Government to do anything to aid you in this.

That progress is most secure which we achieve for ourselves. But I do feel, as one of our writers has said, that "he serves his country best who joins the tide that bears her nobly on," and it is the Republican party that bears it on to-day. Without bitterness, without upbraiding, without condemning you for the past, or blighting your hopes for the future, I merely ask you to come in to the enlarged blessing that we so richly enjoy and avoid the useless expense of a campaign this year. [Laughter.]

You can not elect anything. [Laughter.] It is no use trying that. There are a few people, as I said in New York, who want a President that will let them "do" folks, but we insist upon a President that will let us do things. We are going to get our kind of a President and are willing you should share in the triumph. We are going to carry the Eastern States, as we have always done. We are going to carry the West, because we can not help it. The election there will be nothing but a supplementary census. [Laughter.] That Bureau, you know, has become permanent now. So there is no use of all the expense and worry and trouble on your part without any results, and therefore I close as I began, by extending to you this sincere and formal invitation to disband and come into our ranks.

I do not wish to say one word that would give you sorrow. I feel that the stars and bars of the old Confederacy, justly preserved as the fondest heirloom of a proud and gallant people, to be kissed and caressed by loving generations yet unborn, became a thousand times more sweet when, as an emblem of earthly power, baptized in flame and embalmed in pathetic story, it was furled forever.

And now another and more beautiful flag floats over every foot of our broad land and over a myriad islands of the sea. Beginning with thirteen feeble colonies, it has extended its domain to forty-five great and powerful States, and Old Glory grows brighter and brighter in the sweet radiance of its own gathering stars. [Applause.]

We invite you to share its blessings with us in the fullest measure, and to—

Stand by the flag, all doubts and dangers scorning;
Believe, with courage firm and faith sublime,
That it shall float until the eternal morning
Pales in its glories all the lights of time.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

URGENT DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. LIVINGSTON. Mr. Chairman, I yield thirty minutes to the gentleman from Alabama [Mr. RICHARDSON].

Mr. RICHARDSON of Alabama. Mr. Chairman, I shall claim the attention of the committee but a few minutes, and that on a certain line of thought. I am unwilling, Mr. Chairman, for the opportunity to pass and fail to put on record the facts and the incidents connected with the prosperity of the South that made it possible for the distinguished gentleman from Illinois [Mr. BOUTELL] to tell the beautiful tale, as he poetically names it, "The story of the South." Mr. Chairman, I concur in every word that the gentleman from Illinois said relative to the prosperity of the South, taken, though, as he said it was, and made up by the work of the "scissors and the paste pot." I believe, Mr. Chairman, that this prosperity had better be told by the facts and incidents that come from the growth of the great manufacturing, agricultural, mineral, and timber interests of the South.

I say I believe that those facts can better be told and understood by referring to these matters than taken from editorials in newspapers. No man on this floor responds more cheerfully and more cordially than I do to the liberal, noble, and patriotic sentiments that the accomplished gentleman so sincerely uttered when he said that he was glad to know that the bitterness and acrimony that were produced years ago by our great civil conflict had passed away. That sentiment finds a hearty response with the people of the South. I stood not many months since upon that bloodiest battlefield of the South—the battlefield of Chickamauga—and I read there the beautiful and patriotic inscriptions that the different States of the North and South had made, commemorative of

the magnificent and glorious deeds of their noble sons, and I wondered if there was a patriotic American who could read those inscriptions and not feel a proud inspiration that it was a splendid tribute to American courage.

I believe in that sentiment, and I say now to the distinguished gentleman from Illinois that the "story" of the prosperity of the South has been whispered for years into the hearts of the watchful, patient, and long-suffering people of the South and given to them a gladness, courage, and hope that they have never realized before. Mr. Chairman, I am not going to discuss the hackneyed and worn subject of the race problem, save as logically connected with the industrial growth of the South. I believe even now that too much has been said on that subject of a sectional partisan character. "Let us alone" in the South, and so far as the logic of our industrial progress and improvement and development is concerned we will settle peaceably, quietly, that great question. I hope there is no gentleman on either side of this Chamber who feels otherwise than that this question, called the "negro problem," ought to be settled peaceably, quietly, and with due regard to the material interests of the South and the peace of the country at large. That which I will mention first leads me to believe that the progress, development, and growing industrial interests of the South is fast settling that question.

No man doubts the fact that when the negro becomes a very small minority in the South and white people take his place in the workshops, the mines, and the cultivation of the lands, that that is a long step in the direction of settling the so-called "negro problem." Now, what are the facts about this? What is it that has contributed an important part to this wonderful prosperity, present and future, in the South? I am glad, Mr. Chairman, yes, I rejoice, to be able to stand here and say that in my humble opinion the South to-day stands upon the threshold of a greater growth and prosperity than the most favored section of the world has ever realized. We feel it in the atmosphere. We see it in the unequalled opportunities and advantages that the South holds out to the world for profitable investment. The attention of the whole country—yes, even of the world—is fixed on our section. This means immigration will follow, and has now set in. All of this points to commercial supremacy. The first significant fact that I call the attention of the committee to is this: Go to the last census, and what startling fact do you find there? There were 24,500,000 acres of tillable land in the South that was cultivated in the twelve months preceding the publication of the census.

How was it cultivated? Who did it? It speaks more than volumes can tell of the wonderful changes that are going on in our industrial interests in the South. Out of that 24,500,000 acres of tillable cotton land, white men cultivated and raised cotton on 14,000,000 acres of it; 5,000,000 were cultivated by what were known as "managers" who employed negro labor. Is not that a significant fact? Is it not more than a whisper in the ear as to the progress and development of the South, a wholesome change in our condition, and a certain solution of that vexed question of the negro problem? The idea and theory that worthy, good, intelligent and respectable white people will not and can not cultivate and make cotton and that negro labor alone can make cotton cultivation a success is forever exploded. The South is tired and wearied with the continued agitation of domestic questions calculated and intended to disturb the friendly relations between the white people of the South and the negro. We welcome this movement so auspiciously commenced to have white people cultivate the farming lands of the South. We say this in no spirit of hostility.

It is a change the significance of which ought to attract the attention and approval of every patriotic man, North and South. And, as suggested just now, we of the South have that question in our own hands. We are more interested in the peaceable and quiet solution of it than any other section of the Union. In that connection I will take occasion to read a few clippings from great and influential northern newspapers that indicates what the trend of public opinion in the North is in this great matter. It shows how public opinion is working on it. I read from the Philadelphia Record, a conservative, able, and leading newspaper, published in the great "city of brotherly love"—Philadelphia—and no sail catches more quickly and thoroughly the sentiment of the people than a great leading newspaper. Listen:

The move in Maryland to disfranchise negroes, following upon disfranchisement in Virginia, is not without peril to the people of Pennsylvania if, as a result of it, there shall be a further African invasion of this State. Our heavy negro vote is already a political misfortune, contributing potentially toward the continuance of misgovernment. It is also an undeniable fact that the safety of life and property has been put at greater hazard in the southern and eastern counties of Pennsylvania by the drift northward of an undesirable negro element. It is quite possible that in the near future the people of this State may be obliged to take measures to protect themselves against further African intrusion.

That is ominous, yet how true! "Take measures to protect themselves against African intrusion," says the Record. I do not say in any spirit of levity that the trouble heretofore on this subject with northern people is that distance gave enchantment

to the negro. The question is drawing near to them now; and when it does they will solve it in the best way for the interests of themselves, their families, and their States, just like the South is doing to-day.

Why, then, should the gentleman from Indiana [Mr. LANDIS] complain so lustily, as he did in his remarks on the floor yesterday, about the constitutions of the different States in the South in seeking to protect themselves from that very element of citizens of which the Record says, "Our heavy negro vote is already a political misfortune, contributing potentially toward the continuance of misgovernment." Learn first to pluck the beam from your own eye, and then you can see more clearly to pluck the mote out of your brother's eyes. I say this in the kindest spirit. This is a question that we ought to discuss free from partisanship or prejudice.

Now I will read another paragraph. I admit, Mr. Chairman, that the people of the South owe a debt of gratitude to the negro that we can never fully repay until the last old antebellum negro in the South has disappeared. We feel that and recognize it. Here is another item from the Pittsburg Dispatch. This, too, is a powerful public organ in shaping public opinion and in reflecting it:

The vast majority of the negroes, especially those raised in the North, are law-abiding and honest; but it does seem when, whether through lack of training or for some other deficiency, a negro goes wrong his temperament leads him into a recklessness and flagrancy of crime that has few parallels, and suggests a reversion to savagery. We emancipated the negroes over a generation ago; but we are confronted with the question whether as a nation we were careful enough to provide them with the moral education necessary to preserve them from relapse into ignorance of all moral laws.

"His temperament leads him into a recklessness and flagrancy of crime that has few parallels," etc.

Why, Mr. Chairman, what severer criticism could I make on the negro than that? I refer to it simply to show that there is a drift of public opinion on this subject that will soon relegate the negro question to the shades of the rear.

These are the sentiments coming from the leading newspapers of the North, and my judgment is that to-day we recognize that the conservative public sentiment of the North stands strongly disposed to let this question alone, and let the South solve its own problem for itself. They realize that they have in the North a problem to settle far greater than the South has in the settlement of the negro problem.

Mr. BOUTELL. Will the gentleman yield for a moment?

Mr. RICHARDSON of Alabama. With pleasure.

Mr. BOUTELL. I would like to ask whether in the opinion of the gentleman the tide of European immigration that almost always follows great prosperity in any section of the land will not naturally tend to the South, and perhaps, as we all hope, in a few years settle this question naturally?

Mr. RICHARDSON of Alabama. I say that it not only tends to go there, but it is actually going there now; and I am here to-day speaking more as an immigration agent for the South than in any other capacity. I believe that when the white people commence to raise cotton and explode the old idea that nobody but a negro can raise it—that when that takes place the negroes will necessarily be scattered throughout the whole country and immigration will come bountifully into the South.

Mr. WILLIAMS of Mississippi. Will the gentleman yield to me?

Mr. RICHARDSON of Alabama. Certainly.

Mr. WILLIAMS of Mississippi. There is an immigration coming into the South, but it is coming mainly from the Middle West and the Northwestern States. In Louisiana there has been some immigration of Italians, mainly from middle Italy. They have made certain parts of Louisiana in the sugar belt bloom like a rose garden, cultivating the very ditches and banks, and getting much more out of the land for everybody, as well as for themselves, than the incompetent negro population has ever been able to do. We do not apprehend very much from the European immigration generally. We expect that other immigration agents from other sections frighten them off with statements about the negro population. But we are getting a magnificent class of men from Iowa, Michigan, Wisconsin, Illinois, Indiana, and Ohio, and these men, I am glad to say, within two or three years after they get there, whether Democrats or Republicans, are Southerners to the backbone, and more ultra than are our own people in the Southern States to-day.

Mr. BOUTELL. May we not hope to encourage the European immigration?

Mr. RICHARDSON of Alabama. So that we get honest, good, patriotic, intelligent citizens for our country, let them come from wherever they may. I will tell you the fact, Mr. Chairman, in reference to these white men cultivating 14,500,000 of tillable acres in the South, has been to drive the negro to the cities and towns and there to become vagrants and criminals. No man will understand me as including all negroes in that class. It would

be untrue and unjust for me to do so. We have a large number of worthy, intelligent, respectable negroes who spurn and condemn the vagrant and criminal class of their own race and do not associate with them. This class of negroes are respected by all the people of the South.

It is for that reason that the South has taken such a strenuous position on the subject of vagrants being allowed to vote.

Mr. GROSVENOR. Now, does not the gentleman from Alabama [Mr. RICHARDSON] believe that the holding of a large per cent of the population in the position of serfs rather than of citizens drives away, in point of fact, the intelligence and valuable emigration from Europe? Is it not a fact that the discrimination by law against the citizenship of the colored man is one of the strong obstacles in the way of the coming to the South of the immigration that has been coming to this country that is valuable—the German, and especially the Scandinavian? Now, one other thing. These people who are going from Ohio and Michigan and so forth into the South are going there, are they not, simply to develop your resources with their money; and is it not a fact that the population coming from these States, which the gentleman has enumerated, into the Southern States, are going there by reason of the purchase of timber, as in the State of Arkansas, and of many things—timber, coal, and iron—as in the State of Alabama, and all that?

Mr. RICHARDSON of Alabama. Oh, no; not at all.

Mr. GROSVENOR. Do they not go as laborers for the northern capitalists who are developing that country?

Mr. RICHARDSON of Alabama. They come there, the great majority of them, for the purpose of buying small farms and cultivating them themselves. That is preeminently the case in the Tennessee Valley, that I have the honor to represent on the floor of this House; and not only that, but these men that come there from Ohio and from North and South Dakota and from other Northern States, almost to a man of the number that were there, voted for the new constitution of Alabama which disfranchises, as you say, the negro.

Mr. WILLIAMS of Mississippi. If the gentleman from Alabama [Mr. RICHARDSON] will excuse me, in further answer to the question of the gentleman from Ohio [Mr. GROSVENOR], I would state that there are whole towns of these people. They are forming colonies, like, for instance, Hammond, La., and Richland, Miss., and several others; and that the people go there to live, not merely to invest capital.

Mr. RICHARDSON of Alabama. Yes; they are forming colonies in some of the counties in my district. They have a magnificent colony in Cullman, in the district just below me, and that is taking place all over that section of the South. They are purchasing farms, and our own native white population are buying and cultivating small farms.

Mr. WILEY of Alabama. If the gentleman will excuse me, I would like to make a statement.

Mr. RICHARDSON of Alabama. Certainly.

Mr. WILEY of Alabama. I want to say that in my district, in Baldwin County, there is a large colony of gentlemen, composed almost exclusively of people from Ohio and Illinois. They say that the atmosphere of that county is very similar to that of California. They have small farms, and they constitute one of the best parts and a splendid part of our citizenship, and we welcome them to our borders.

Mr. GROSVENOR. If the gentleman will allow me, I want to say that I ask these questions only for information. I have no opinion on the subject.

Mr. RICHARDSON of Alabama. Certainly; and if I can answer any questions I will do so cheerfully.

Mr. GROSVENOR. I have been answered, and I am delighted, and it is the most hopeful lifting of the curtain that I have experienced in many days. Just let that immigration go on.

Mr. RICHARDSON of Alabama. And it settles the race question—just what we say it will do. Let us alone. Do not criticise us when you are complaining and stand in dread of the same class of people invading the State of Pennsylvania and other Northern States. That is what I contend for, and nothing more than that. I say that I would hate to find a man upon the floor of the House of Representatives of the American Congress who wants the race question settled otherwise than peaceably and without sectional friction. Take the South to-day. What section of this Union is more interested in the maintenance of law and order than that section? We are just budding into a growth and prosperity that challenges the admiration and wonder of the world. Why is it, then, that people think we want disturbance and conflict? Let us alone and we will settle the question and settle it to the strength and glory of the American Union. [Applause.]

Mr. BOUTELL. Mr. Chairman, I will ask the gentleman to yield just one more time. I dislike very much to interrupt him.

Mr. RICHARDSON of Alabama. Not at all; I am glad to be interrupted by the gentleman.

Mr. BOUTELL. I want to revert just one moment to something that seemed to be intimated in the remark made by the gentleman from Mississippi [Mr. WILLIAMS], that there was some sinister opposition in some way to European immigration into the South. Now, we all know that immigration, if unrestrained, flows along isothermal lines. I would like to have both sides of this House join hands to-day in sending word to the people of northern Italy and southern Germany and southern France that they will find no better spot on earth, with climate similar to their own, to go to than the Southern States of this Republic.

Mr. RICHARDSON of Alabama. I think that to be the truth.

Mr. BOUTELL. And if there is any factor that is preventing that sort of immigration—if there is any influence at work to discourage it—I should like to have it disclosed here on the floor of the House that an end may be put to it.

Mr. RICHARDSON of Alabama. What we need is vigorous action against anything that would operate in that way as a discouragement. I believe that the sentiments expressed by the gentleman from Illinois [Mr. BOUTELL] are the genuine sentiments of his heart; that he believes that whenever white men take the place of the negro and the negroes are scattered in minorities throughout the Union it will make a settlement of the negro problem, and make it in a proper way. We do not object to that disposition. It will help matters powerfully for the Northern States to take some of our negro population. The subject will then be understood. More opposed to a wholesale colonization of the negroes of the South.

Now I go one step further in reference to the beautiful "story" that my friend from Illinois so splendidly and in such chaste and beautiful words related on the floor of the House the day before yesterday—a story to which I listened with a great deal of interest.

Let us look and see what the South is really doing. It is a marvel to a man who will study it; it creates the profoundest surprise when he takes hold of the question and presents it to his mind in a comparative manner. I have taken occasion, in the short time that I have had to look into this matter, to hunt up some of the facts. Of course, I can only refer in a limited way to statistics. In considering this question no fair-minded man will pretend to deny that the South only got on its feet, was only in a position to do something for itself about the year 1880—I will not go back, because it would look as if I was seeking political purposes; I will not go back to compare Democratic administration in Alabama or any other Southern State with Republican administration after the war and during reconstruction. Is there a man on the floor of this House on either side who would say for a moment that the South to-day would be realizing this prosperity and hoping for a continuance and increase in the future if negro votes controlled in any of the Southern States? Not a man in the South would invest a dollar in either of those States; not a dollar from the North would be invested there. The fact that the white people, conservative, patriotic, and intelligent, are administering the laws of those States is what has brought about our improved condition and guarantees and insures an unlimited prosperity in the early future.

Twenty years ago the South manufactured in her mills but little more than 10 per cent of the cotton that she raised. What does she do now? In that short space of time in the life of our Republic, she to-day manufactures in her own mills more than 50 per cent of the cotton that she raises. What does that mean? What does it signify? Nothing hostile, nothing unkind, nothing unfriendly. The northern man, like the southern man, is seeking his best advantage and opportunity to realize upon the money that he invests. We have the climate, we have opportunities and advantages superior to the North for the manufacture of our cotton. That is all that it means. Listen to this. It tells the story better than the gentleman from Illinois can tell it and far better than I can. I take it from the Manufacturers' Record:

In industrial interests the progress of the South has been even more striking. In 1880 that section had \$257,244,561 invested in manufacturing; by 1900 this had increased to \$1,153,202,368, a gain of \$895,957,804, or 348 per cent. For the same period the capital invested in manufacturing in the whole country had increased from \$2,790,272,606 to \$9,891,486,500, equal to a gain of 252 per cent. The value of the products of southern factories advanced from \$457,454,777 in 1880 to \$1,463,643,177 in 1900, a gain of \$1,006,188,400, or 219 per cent. During the same period the value of the products of manufacture for the whole country increased only 142 per cent. In 1880 the South had \$21,976,000 invested in cotton manufacturing, with 180 mills having 667,000 spindles; this industry now counts more than 750 mills with a total of 7,500,000 spindles and a capital of about \$175,000,000.

In 1881 the consumption of cotton in northern mills was 2,027,362 bales and in southern mills 604,661 bales. In 1902 the consumption in northern mills was 2,050,774 bales, practically the same as in 1881, and in southern mills 1,937,891 bales, or three times as much as in 1881. The increase in capital invested in cotton manufacturing interests in the United States was from \$308,000,000 in 1880 to \$490,000,000 in 1900, a gain of 120 per cent. For the same period the increase in the South was 413 per cent. Since 1900 the increase has been so rapid in the South that this difference has been still more marked.

In 1880 the South made 397,000 tons of pig iron. In 1902 it made over 3,000,000 tons. From a production of 6,000,000 tons of coal in 1880 the South's output advanced to over 60,000,000 tons in 1902. The lumber industry increased from 6,623 establishments in 1880, with a capital of \$23,546,076, to 14,062 establishments, with a capital of \$181,702,526, in 1900.

It is just such facts as these that will enable the North to better understand the South. That is what we need. These are the facts that will break down the walls of sectional feeling and misunderstanding.

Take the town where I have the pleasure to live and a few years since we had but one cotton mill. To-day there are nine. One of those, the largest of the South, established by capital from Lowell, Mass., will, when it completes its plant, bring there, as has been conservatively estimated, a population of 14,000 people. I just received the news this morning that the tenth factory was to be erected there, at Huntsville, Ala. Home capital is invested there also in large amounts. All the mills are doing well and prospering.

Just before I left home an estimate was made of the annual value of the products of the cotton mills at that place. What do you suppose it was? Four million seven hundred and fifty thousand dollars. Do you think that people who are prosperous in that way want to be disturbed in their ordinary life transactions and business by arousing the population on some inflammable project and destroying the peace and quietude that capital demands wherever it is interested?

Why, Mr. Chairman, we have more reason or inducement in the South to observe the law and do what is right—to observe the statutes of the Government and follow a wise business and prudent public policy—than any other section of this Union. Not in humiliation, not in recognition of anything that is unbecoming to us as men of honor and courage, but to advance our own interests, to advance our pecuniary welfare; and in doing that we shall find, if you let us alone, a solution of this vexatious problem about the negro. We shall find it peacefully and quietly settled.

Now, Mr. Chairman, let us go a little further. What is the South doing in addition in regard to this cotton question? Why, sir, there are 110,000,000 spindles in the world, and the Southern States furnish 75 per cent of the cotton that runs those 110,000,000 spindles.

[Here the hammer fell.]

Mr. WILLIAMS of Mississippi. Does the gentleman desire further time?

Mr. RICHARDSON of Alabama. Yes, sir.

Mr. WILLIAMS of Mississippi. Will five minutes be sufficient?

Mr. RICHARDSON of Alabama. I should like longer time than that.

Mr. WILLIAMS of Mississippi. Mr. Chairman, how much time is left to our side?

The CHAIRMAN (Mr. POWERS of Massachusetts in the chair). One hundred and eleven minutes.

Mr. WILLIAMS of Mississippi. Very well; I yield fifteen minutes more to the gentleman from Alabama [Mr. RICHARDSON].

Mr. RICHARDSON of Alabama. I am much obliged to the gentleman.

As I was about to say, of those 110,000,000 spindles, the South to-day has 8,500,000. Does any man think we are going to fold our arms, sit still, and use no further energy to advance the progress which has begun? Do you think that the men who have put their money in these enterprises will sit supinely down and fold their arms? No, sir.

We stand to-day on the threshold of the most remarkable prosperity of any, even the most favored, parts of the world. It will be only a few years—mark my words—when the South will manufacture in its own mills every bale of cotton that is raised there. Why, that time is coming. We feel it in our veins. The southern people are encouraged. They feel hopeful, and they know that they are going to prosper. When that takes place what is going to be the result? The South consumes in her own mills the cotton that is produced in her own fields. The world will be demanding then not less than 15,000,000 bales of cotton for the supply, because the demand for cotton goods and cotton is increasing throughout the world. What wealth it will bring to us! When that day comes these white laborers that I am talking about that will occupy or cultivate nearly the entire acreage of the South will be the men who will build up the cotton crop to 15,000,000 of bales a year. I believe that with the price fixed at 10 cents a pound—and I do not believe it is going to fall below that for years to come—Texas itself would produce probably 5,000,000 or 6,000,000 bales of cotton regardless of the boll weevil, and we hope to exterminate him.

Now, let us go a little further in these facts, because, as I said, I am here to-day in the nature of an immigration agent for the South. I believe as a practical common-sense matter that the solution of this question that has vexed us so long lies in the occupation and cultivation of lands of the South mostly by white people.

Mr. BAKER. May I ask the gentleman a question?

Mr. RICHARDSON of Alabama. Certainly.

Mr. BAKER. The gentleman has announced that he is speaking as an immigration agent for the South.

Mr. RICHARDSON of Alabama. Oh, yes; figuratively speaking.

Mr. BAKER. I understand.

Mr. RICHARDSON of Alabama. I am not paid for it, except as a Congressman, and that is not hardly pay enough.

Mr. BAKER. Oh, well, I merely made that remark as introductory. Will the gentleman let me put this question? Supposing that instead of the present laws which obtain in the South as well as in the North on the question of taxation you had a system of taxation which placed all the burden upon the value of land—that is, land according to its value—and relieved from taxation all improvements of every kind, all forms of personal property, would that not result in such an enormous influx of population into your section of the country that not only would the immigration from Europe all go there, but you would practically denude the Northern States?

Mr. RICHARDSON of Alabama. My answer to the gentleman from New York is that I believe a single tax on land in the South would destroy the farm interests in that country. [Applause.]

Mr. BAKER. Let me ask one other question. Does the gentleman say it would destroy the farming industry—that is, it would destroy the land—or does he say it would destroy the farming industry because it would destroy the farming of farmers?

Mr. RICHARDSON of Alabama. I say it because it would put such a burden upon the farmers of that country that it would take all the profit out of farming and make them pay the whole taxes practically.

Mr. BAKER. If the single tax were put in operation, I want to say to the gentleman from Alabama that where the farmers of his State are now paying \$100 in taxes they would not have to pay \$20. How the removal of four-fifths of the taxes they are now paying is going to ruin the farmers of the South is beyond my comprehension.

Mr. RICHARDSON of Alabama. I have given what I believe to be the correct answer to the gentleman's question.

Mr. BAKER. And I have made a substantially correct statement as to the operation of the single tax, so far as it would affect the farmer.

Mr. RICHARDSON of Alabama. Now, I want to go one step further, and I must do it hurriedly. In 1880 the South made 397,000 tons of pig iron. In 1902 the South made over 300,000,000 tons of pig iron. In 1880 the coal output of the South was 6,000,000 tons; in 1902 it was over 60,000,000 tons of coal, 11,000,000 tons of which came from the Birmingham district of Alabama, and the total was 20,000,000 tons more than the whole United States produced in 1880. That tells the tale of southern prosperity. God Almighty placed that coal in the ground, but it takes energy and money and industry to develop it.

Let us look at another fact. I am here to say that enterprising railroads have been of as much benefit to the development of the South as anything else. Let us take the four great States of the North and the South and compare them as to the increase of railroad mileage in the last decade. What is it? Take New York, Connecticut, New Jersey, and Massachusetts and compare them with Alabama, Georgia, North Carolina, and Arkansas. Men do not build railroads for pleasure or for fun. They build them for the purpose of making money. They build them to certain objective points where they know there is something to be found and something that will pay them for the expenditure of money in what they develop out of the ground and in the growth of cities and towns along its line.

Alabama, which has only about one-fourth of the population of New York, increased her railroad mileage one-half more than the great State of New York did in the last ten years. That is a fact that is shown by the statistics. What else? Arkansas has increased her railroad mileage two and a half times more than Connecticut. Georgia has increased her railroad mileage twice as much as Massachusetts. North Carolina has increased its railroad mileage one and a half times more than New Jersey. Is not that an indication of the growth and prosperity of the South? I do not mean to be understood as saying that we are equal in our industries to the North and Central Western States. But I say these facts and figures, which I hope to be allowed to elaborate in the RECORD, give a hint as to what the commercial strength and power in the industrial interests of this country the South will be in the near future. It tells a tale of growth and development. I will not now extend the comparison any further for fear that my motives might be misconstrued.

I believe that the great trouble that we are talking about here so much on the floor and about which so much is said in the papers, about the negroes, will find a happy and peaceful solution in this very development. I can not, Mr. Chairman, extend my remarks by reference to the development and growth of our agricultural interests, but this industry has kept pace fairly well with the other improvements of the South. We are getting along well now. I referred in the beginning of my remarks to the criticisms

that the gentleman from Indiana [Mr. LANDIS] made on the different constitutions of the Southern States regulating suffrage. I have this to say, that when the representation of the Southern States is reduced on the floor of this House the same law will cut deep and hard into several Northern States. I have not the time, Mr. Chairman, to call attention to the limitations on the right of suffrage in several Northern States.

The South is ready for the investigation and comparison. We think in Alabama, as other Southern States think, that we have the right, when we are conditioned as we are, to regulate and limit the right of suffrage without discrimination. I think when the conservative people of the North read the constitution of Alabama on the question of suffrage they are bound to say that it is a fair and good law. Much misrepresentation has been made by designing persons to the North on this subject. I here give the provisions of the Alabama constitution on the question of suffrage:

ARTICLE VIII.

SUFFRAGE AND ELECTIONS.

177. Every male citizen of this State who is a citizen of the United States, and every male resident of foreign birth who, before the ratification of this constitution, shall have legally declared his intention to become a citizen of the United States, 21 years old or upward, not laboring under any of the disabilities named in this article, and possessing the qualifications required by it, shall be an elector, and shall be entitled to vote at any election by the people: *Provided*, That all foreigners who have legally declared their intention to become citizens of the United States shall, if they fail to become citizens thereof at the time they are entitled to become such, cease to have the right to vote until they become such citizens.

178. To entitle a person to vote at any election by the people, he shall have resided in the State at least two years, in the county one year, and in the precinct or ward three months immediately preceding the election at which he offers to vote, and he shall have been duly registered as an elector, and shall have paid on or before the 1st day of February next preceding the date of the election at which he offers to vote, all poll taxes due from him for the year 1901, and for each subsequent year: *Provided*, That any elector who within three months next preceding the date of the election at which he offers to vote has removed from one precinct or ward to another precinct or ward in the same county, incorporated town, or city shall have the right to vote in the precinct or ward from which he has so removed, if he would have been entitled to vote in such precinct or ward but for such removal.

179. All elections by the people shall be by ballot, and all elections by persons in a representative capacity shall be viva voce.

180. The following male citizens of this State who are citizens of the United States and every male resident of foreign birth who, before the ratification of this constitution, shall have legally declared his intention to become a citizen of the United States, and who shall not have had an opportunity to perfect his citizenship prior to the 20th day of December, 1902, 21 years old or upward, who, if their place of residence shall remain unchanged, will have at the date of the next general election the qualifications as to residence prescribed in section 178 of this constitution, and who are not disqualified under section 182 of this constitution, shall, upon application, be entitled to register as electors prior to the 20th day of December, 1902, namely:

First. All who have honorably served in the land or naval forces of the United States in the war of 1812, or in the war with Mexico, or in any war with the Indians, or in the war between the States, or in the war with Spain, or who honorably served in the land or naval forces of the Confederate States, or of the State of Alabama in the war between the States; or,

Second. The lawful descendants of persons who honorably served in the land or naval forces of the United States in the war of the American Revolution, or in the war of 1812, or in the war with Mexico, or in any war with the Indians, or in the war between the States, or in the land or naval forces of the Confederate States, or of the State of Alabama in the war between the States; or,

Third. All persons who are of good character and who understand the duties and obligations of citizenship under a republican form of government.

181. After the 1st day of January, 1903, the following persons, and no others, who, if their place of residence shall remain unchanged, will have, at the date of the next general election, the qualifications as to residence prescribed in section 178 of this article shall be qualified to register as electors: *Provided*, They shall not be disqualified under section 182 of this constitution:

First. Those who can read and write any article of the Constitution of the United States in the English language, and who are physically unable to work; and those who can read and write any article of the Constitution of the United States in the English language, and who have worked or been regularly engaged in some lawful employment, business or occupation, trade or calling for the greater part of the twelve months next preceding the time they offer to register; and those who are unable to read and write, if such inability is due solely to physical disability; or,

Second. The owner in good faith in his own right, or the husband of a woman who is the owner in good faith in her own right, of 40 acres of land situate in this State, upon which they reside; or the owner in good faith in his own right, or the husband of any woman who is the owner in good faith in her own right, of real estate situate in this State assessed for taxation at the value of \$300 or more; or the owner in good faith in his own right, or the husband of a woman who is the owner in good faith in her own right, of personal property in this State assessed for taxation at \$300 or more: *Provided*, That the taxes due upon such real or personal property for the year next preceding the year in which he offers to register shall have been paid, unless the assessment shall have been legally contested and is undetermined.

182. The following persons shall be disqualified both from registering and from voting, namely:

All idiots and insane persons; those who shall by reason of conviction of crime be disqualified from voting at the time of the ratification of this constitution; those who shall be convicted of treason, murder, arson, embezzlement, malfeasance in office, larceny, receiving stolen property, obtaining property or money under false pretenses, perjury, subornation of perjury, robbery, assault with intent to rob, burglary, forgery, bribery, assault and battery on the wife, bigamy, living in adultery, sodomy, incest, rape, miscegenation, crime against nature, or any crime punishable by imprisonment in the penitentiary, or of any infamous crime or crime involving moral turpitude; also, any person who shall be convicted as a vagrant or tramp, or of selling or offering to sell his vote or the vote of another, or of making or offering to make false return in any election by the people or in any primary election to procure the nomination or election of any person to any office, or of suborning any witness or registrar to secure the registration of any person as an elector.

There is one thing else that I desire to call attention to and express my views upon. I have often said that I do not believe that Congressmen were paid enough; and I heard a distinguished gentleman from Maine, whom I do not see on the floor now, not long since make a very truthful remark. He said when he was at home he could touch a bell and one or two bell boys would answer it; but here, in his representative capacity of Congressman, they touch the bell, and he had to answer; showing the trouble and the difficulties and the burdens that we labor under as Congressmen.

The question of mileage is what I refer to. While I say that I do not believe that we are as well paid as probably we ought to be, I believed that the Federal judges were not paid enough, and under the act of the last Congress I voted to increase their pay, but I do not want to touch or take anything connected with money that has about it the taint of suspicion. Now, I am governed in my opinion, as every other lawyer will be, according to his own construction of the statute. I would not have mentioned it, because I never would have known of it if it had not been brought up on the floor of the House. I only give it as my own opinion, upon my own responsibility, to guide no other Member of the House; my responsibility is only to my constituents, who, I think, would give me full credit for honesty in any vote I would cast here. Section 17 of the Statutes at Large of the United States, Thirty-ninth Congress, volume 14, page 323, reads as follows:

SEC. 17. *And be it further enacted*, That the compensation of each Senator, Representative, and Delegate in Congress shall be \$5,000 per annum, to be computed from the first day of the present Congress, and in addition thereto mileage at the rate of 20 cents per mile, to be estimated by the nearest route usually traveled in going to and returning from each regular session.

Now, I admit, Mr. Chairman, that I lay great stress upon the word "regular." I understand that it has been done in the extra session called by President McKinley, as well as in the extra session called by President Cleveland. Those sessions adjourned before the regular session commenced. Where the Constitution says that at least one term of Congress shall meet each year, the implication is very strong, as a matter of course, that another session can meet, and when it meets and adjourns before the regular session shall commence the Members would be entitled to mileage. But when they meet, as we did on the 9th day of November, and glide quietly and softly out of that, without any line of demarcation or distinction, into the "regular" session, in my humble view, I do not believe that I am entitled to the mileage provided for in the urgent deficiency bill.

Mr. MOON of Tennessee. Will the gentleman allow me to ask him a question?

Mr. RICHARDSON of Alabama. Certainly.

Mr. MOON of Tennessee. There are two methods of meeting by Congress.

Mr. RICHARDSON of Alabama. Yes.

Mr. MOON of Tennessee. Both are fixed by the Constitution. The Constitution provides that Congress shall meet on the first Monday of December.

Mr. RICHARDSON of Alabama. Yes.

Mr. MOON of Tennessee. Then there is another provision of the Constitution providing that on extraordinary occasions the President may convene Congress. Now, both of these methods of meeting are by virtue of the Constitution itself. How can we construe any session of Congress called by the President in pursuance of that constitutional power, or meeting itself in pursuance of the Constitution, anything but a regular session?

Mr. RICHARDSON of Alabama. I admit that there is a hazy line right along there, and the fact that controls the matter, in my opinion, is that we did not meet. It was a continuous session. We did not adjourn.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RICHARDSON of Alabama. I ask the privilege of extending my remarks in the RECORD.

Mr. MOON of Tennessee. I will ask that the gentleman have five minutes more.

The CHAIRMAN. The time is under the control of the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. I think two minutes more will be sufficient to complete the inquiry, and I yield the gentleman two minutes more.

Mr. RICHARDSON of Alabama. I was cut off in my answer. I believe that there is a hazy line right along that, and under the ordinary construction of statutes there is a doubt existing, and I propose under this condition of circumstances to solve that doubt against myself and in favor of my constituents.

Mr. MOON of Tennessee. While I fully agree with the gentleman that, under the present conditions existing in reference to this question, this Congress would be wise in not voting the mileage, I have not the slightest doubt that these sessions of Congress are regular and by law technically we have the right to make the appropriation.

Mr. RICHARDSON of Alabama. Then you believe it is the law for us to get that mileage?

Mr. MOON of Tennessee. I believe we would be entitled to it technically under the law, but under existing conditions I think it would be unwise for us to vote it, and I would rather forego it than pass the allowance under those conditions.

Mr. RICHARDSON of Alabama. I do not intend, Mr. Chairman, to take money that I would have to accept technically.

Mr. MOON of Tennessee. I do not either.

Mr. RICHARDSON of Alabama. I want to get it absolutely legally, but I am not criticising anybody's views or opinions. I have as much respect for the gentleman's opinion of law as any man on the floor of the House, but I am giving my own construction of it.

Mr. MOON of Tennessee. I have not any doubt about that, but there are gentlemen who think we are entitled to this as a matter of law, of right, and of morals. I agree with those gentlemen that we have the right to take this mileage under the law, that we have the right to take it morally. But it is a delicate question to vote money to ourselves. I think, under the existing circumstances, that in the interest of economy and to avoid the suspicion of wrong, that it is best to resolve the doubts and all equities in favor of our constituents and not vote for the mileage. I am simply disagreeing with the gentleman's legal reasoning.

Mr. RICHARDSON of Alabama. I frankly say to my friend from Tennessee that if I believed that I had a right to it legally I should vote for it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAMAR of Missouri. Mr. Chairman, I have listened with considerable interest and with profound attention to the discussions on this floor for the past three months, and especially did I listen with interest to the gentlemen this morning on the other side of the House. But they need not worry about the decadence of the Democratic party; neither need they worry themselves with invitations to us to come over and join their ranks. The death of the Democratic party was predicted a century ago; Federalism was to dispatch it, but Federalism died and was buried with the elder Adams.

After that the Whig party, perhaps the purist and best opponent the Democratic party ever had, was its decreed executioner; but the Whig party did not survive its great leader, Henry Clay. For a century the Democratic party in this land has been the champion of individual liberty and personal rights and has stood as a bulwark between the aggressions of concentrated wealth and power and the rights of the people, and when those principles which the gentleman espouses and that party of which he proudly boasts have been relegated to oblivion and are only remembered among the reminiscences of what once had an existence the Democratic party will still live. Democracy contains within itself the indestructible elements of perpetuity, and so long as free government and free institutions live the Democratic party will continue to exist. [Applause on the Democratic side.]

I did not intend to and would not have referred to this but for the fact that the gentleman from Minnesota appeared so much troubled over our impending political dissolution, and the invitation so many times repeated by him for us to disband and join the Republicans.

You ridicule us because we exercise individual opinions; because the Democracy is made up of men who choose to think for themselves; because no one man among us can usurp to himself the power and authority in advance of a convention of the people representing all our party to name a candidate for the Presidency or to make a platform in all its details. The Democratic party is not the subservient tool of any one man or coterie of men. And I say to the gentleman now that out of this conflict of individual opinions and clash of ideas of independent manhood the combined wisdom and the intelligence of the Democratic party will construct a platform and nominate a man which will before next November lead him to change his ideas as to the decadence of the Democratic party.

I have listened attentively to the discussions and debates of the House, and have been much interested; but the reasoning and logic employed by the gentlemen on the other side of the Chamber have failed to make clear to me the exact position they occupy. They strenuously insist that the sacred schedules of the present tariff law must not be interfered with; that any modification of existing rates would imperil the prospects, and perhaps the existence, of many of our industrial concerns; would close the furnaces, shut down our factories, stop the wheels of our mills, and bring in its train of concomitant misfortunes all the evils their imaginations can conceive or their rhetoric describe; and especially they tell us would result in throwing out of employment or reduce the wages of the poor laborer, for whom they manifest such apparent concern. When any reduction or modification of duties on the necessities of life is mentioned, they prate much of "competition with the pauper labor of Europe," and tell us such a condition would ruin us, and that our manufactories are unable to meet such competition. I quote here from an article from the American Econo-

mist of December 25, 1903, the organ of the American Protective Tariff League, in reply to an editorial in the Springfield Republican. The editorial is as follows:

Protectionism of a reasonably moderate sort, applied to a country situated as ours has been during a century past, may be said to have demonstrated its right to respectful consideration in any opposing school of thought.

The reply to that from the Economist is this:

Really we should like to know what "protectionism of a reasonably moderate sort" is. Such statements as the above appear frequently in our free-trade journals that profess to know what they are talking about, and yet how empty are such assertions. There can be no such thing as "moderate" protection any more than there is such a thing as partly locking the door. If the door is not sufficiently bolted to keep out the intruder, it is not locked at all. If an industry in the United States needs a 50 per cent duty to overcome the inequality of wages between those given the American workmen and the foreign competitor, then a duty of 49 per cent is not protection at all, nor would a duty of 51 per cent or more be any higher protection.

And this is the burden of the argument of the other side on this floor, that without protection, solely for protection's sake, without reference to any consideration of the revenues of the Government, our industrial system could not stand; that it can not, unaided by legislation, unsheltered by prohibitive tariff, withstand the flood of cheap goods from foreign factories with which our markets would be overwhelmed, and we are told they are "too wise to revise the tariff on the eve of a Presidential election," and that they are "standing pat," and that they "hold the ace," whatever those terms may mean.

Some time since, during the debate on the Cuban bill, I was surprised at some of the admissions made by the distinguished gentleman from New York [Mr. PAYNE], the leader of the majority on this floor. Ever since I can remember Republicans have been trying to teach the people in my State, first, that "the tariff is not a tax at all," and, secondly, that "if it is a tax, the foreigner pays it," and to intimate that it is a tax, which the consumer must and does pay, would there be considered by all good Republicans the rankest kind of heresy, and for a Republican to admit it, treason even of a worse sort than the "Iowa idea."

Yet the distinguished gentleman from New York said in the course of the debate, to which I have referred—alluding to the tariff on sugar, "and so it is we put the rate of duty higher on sugar than was absolutely necessary, because we could get this splendid revenue from the sugar duty; a revenue that came from the people of the United States, who used it in their households." Verily, it is then true, as we have so long contended, that the consumers of this country pay, in the increased cost to them, the duty on the almost innumerable articles of daily necessity and consumption, and which in most instances does not go to the Government to enhance its revenue, but into the coffers of some trust to enable it to declare a larger dividend on its watered stock, while at the same time reducing the wages of its employees. You admit that the increased cost, by reason of the tariff, on reapers and mowers, and plows, and hoes, and rakes, and harness, and wagons; on wire and nails, and sewing machines, and cutlery; on shoes and clothing, and china and stone ware, and on the thousands of articles of necessity which enter into the millions of homes throughout this land, is paid by the consumers, and that this species of toll—for it is a toll—is collected from all, for all use and consume some of these articles; is taken from the earnings of one class, by virtue of this species of legislation, and given to another class.

Our Republican friends are remarkable for the modesty of their claims. The CONGRESSIONAL RECORD is full of figures and statistical tables and comparisons of the present condition of the country as contrasted with that of ten, twenty, and thirty years ago. If they find more people here now, it is due to the Dingley law. If they find more mines and farms and factories and railroads than we had two or three decades back, it is, according to their logic, due to protection. If a beneficent Providence has sent the sunshine and showers and seasons to bless the industry of our farmers with good crops, they sing praises to the Dingley bill and not to the Almighty. If our population has increased and multiplied, they, by some system of reasoning satisfactory, I suppose, to themselves, give credit to the Republican party and not to that blessed class of American women who prefer rearing children to leading a poodle dog by a string. [Applause.] Neither supply and demand, nor failure of crops, nor foreign wars, nor famine, as they reason, have any effect on prices. If mules raise in price on account of foreign wars, blessed is the Dingley law. To them it is the source from which all blessings flow.

In a circulation statement issued by the Treasury Department January 1, 1904, the average circulation per capita for the United States on that date is given at \$30.38. And because the average per capita circulation is greater than at some period in the past, because there is more wealth in the nation to-day than there was a decade ago, we are to lose sight of its distribution, lose sight of the question of whether the people who produce that wealth receive their just share of it, but are told we must "stand pat" and

"keep on letting well enough alone" on the simple proposition "that because the country as a whole is increasing in wealth we must assume that the laws are just and equitable and need no alteration or modification." No one denies that the country is increasing in population, in wealth, and in power, but the vice in this line of reasoning lies in averaging the wealth.

By the same system of reasoning it can be demonstrated that a pauper and a multimillionaire, on an "average," are both millionaires, but the one is several times a millionaire, while the other has nothing. The trouble is it is only an imaginary average, and it requires quite a stretch of the imaginative faculties, even of a Republican, to imagine the equitable distribution among the people who produce it and from whose pockets it has been extorted of the millions and billions of dollars owned and controlled by these tariff-fostered and tariff-sheltered trusts and which go into the average of the wealth of the country. These "average" circulation statistics and "average" property statistics are perhaps all right as "averages" on paper; but the truth is the wealth has been diverted by class legislation from those who produced it to the favored class, many of whom "toil not, neither do they spin, yet Solomon in all his glory was not arrayed like one of these."

Their modesty is remarkable. If the price of an article is increased—under their logic—it is the Dingley law; if wages are higher there is no possible explanation or reason to be given for it than the protective system. A year ago, when stocks and securities were high, all this prosperity was the outgrowth of Republican policies; but when the bubble bursts—when stocks go down, when wages are cut, and men are thrown out of employment—then we are gravely told that the Dingley law has nothing to do with it.

I desire here to read an editorial from the Springfield Republican, and a reply from that same paper to which I referred a moment ago; the American Economist. The Springfield Republican says this:

Mr. HANNA stood up before the Republican national committee yesterday and repeated his familiar injunction to "stand pat." All that is necessary to bring about the continued success of the Republican party, he declared, "is to stand pat upon the principles and policies of that party."

When Mr. HANNA repeats his well-worn injunction, he is fairly exposed to some answering questions coming up from the people. Are the 100,000 and more cotton workers whose wages have been cut asked to stand pat on the reduction? Is the steel industry to stand pat on the collapse, which is admitted to be one of the worst ever experienced? Are the commercial interests to stand pat on such reaction from prosperity as is reflected in the heavy record of business failures shown for two or three months past? Is the country to stand pat on the shrinkage in the market value of securities, which, according to the Secretary of the Treasury, equals the cost of four years of destructive war?

Replying to that editorial, the Economist has this to say:

What, we should like to know, has the Dingley law got to do with the price of cotton, which is the sole cause of the reduction of wages of the thousands of cotton workers in New England? What, we should like to know, has the Dingley law to do with the labor troubles aggravated by such men as Sam Parks, which has resulted in idleness of a hundred thousand men and the cessation of building and construction, having so great an effect upon the consumption of iron and steel products? What, we should like to know, has the Dingley law to do with the leveling of quotations of industrial and railroad securities caused by abnormal inflation of values and the great watering of stocks?

Here the great champion of protection, the most ultra "stand-patter," the organ of the tariff league, the paper that strenuously opposed the Cuban reciprocity bill as a breach in the protective fortifications, the ne plus ultra of protection, informs us that the Dingley law has nothing to do with the price of cotton, nothing to do with the reduction in wages of the thousands of cotton workers in the mills of New England, nothing to do with the conditions which have resulted in idleness of a hundred thousand men, nothing to do with the consumption of iron and steel products, nothing to do with the decline of industrial and railroad securities. Had the opposite occurred our friends would have loudly proclaimed that their policies and laws caused it all.

We have been trying for years to combat this theory—that "the tariff is not a tax," and "the foreigner pays it," and that it costs the consumer nothing, and have toiled hard and long and patiently to convince people otherwise on many occasions; and now it is rather gratifying to hear the distinguished gentleman admit it. That statement, that the tariff is a tax, which the consumer pays, coming from the distinguished leader of the other side admits a fact which Republicans have denied and Democrats asserted for so long "that the memory of man runneth not to the contrary." This interesting admission condenses the whole protective theory into the simple doctrine of taxation of all the consumers for the benefit of a few protected interests. But without conceding the soundness of this doctrine, even if protection were necessary for the profitable employment of our mills and factories, let us examine the admitted facts, and ascertain if, without the tariff, or at least with a material modification of many of its schedules, they could not still operate at a profit, and if the shelter it affords by preventing competition does not enable them to practice extortion upon the great body of American consumers.

I quote here from pages 15, 16, 17, and 18 of the last Republican campaign text-book:

AMERICAN INVASION OF EUROPE—THE UNITED STATES COMPETING WITH EUROPEAN MANUFACTURERS IN THEIR HOME MARKETS.

In the last two years there has been much agitation in Austria and other continental countries of Europe against "the American peril" and "the American danger." This agitation was due to the American invasion of European markets with American manufactures as well as American produce.

Heretofore our sales have been made up almost wholly of food stuffs and raw material. Europe was the workshop. But that has changed, and we find, year after year, an astonishing increase in our exports of manufactured articles, an increase that in the last two or three years reached totals which give ample basis for the popular talk of invasion of the European industrial fields. Our exports of manufactured articles in the decade prior to 1897 averaged \$165,000,000 annually. In 1898 our sales of manufactured articles to foreign customers jumped to \$290,000,000, the next year to \$339,000,000, the next to \$384,000,000.

Imports decline.—These figures, showing a steady invasion by our manufacturers of foreign industrial fields, have a natural corollary. As exports of manufactures increased our imports of the handiwork of foreign shops showed an even more rapid decline. Our manufactures were not only invading the foreigner's own markets, meeting him at his threshold with a new competition, but they were taking away from him his greatest market—the United States. We have in the last dozen years been manufacturing for ourselves a vast amount of goods such as we have been accustomed to buy abroad.

One can turn from the contemplation of these great totals to an examination of the records made in recent years by individual industries and find, in detail, facts upon which to base a belief that the United States has acquired or is acquiring supremacy in the world's markets. So many industries have been sending rapidly increasing contributions to swell the rising tide of our foreign commerce that it is difficult to tell any detailed story of American commercial expansion without making it read like a trade catalogue.

The increase in our exports of manufactured articles can, in the main, be traced to advances made in the manufacture of iron and steel and to the display of inventive talent in the making of machinery. The development of our grasp on the world's markets for articles manufactured from iron and steel has been no surprise to those who early recognized the position of America in respect to the raw materials from which those articles are produced. America unquestionably possesses advantages in respect to her iron ore and coal mines far superior to those of any other country and, based solely upon that superiority, has already become the greatest producer of iron and steel in the world.

American locomotives in Europe.—American locomotives running on American rails now whistle past the Pyramids and across the long Siberian steppes. They carry the Hindoo pilgrims from all parts of their Empire to the sacred waters of the Ganges. Three years ago there was but one American locomotive in the United Kingdom; to-day there is not a railroad of importance there on which trains are not being pulled by American engines. The American locomotive has successfully invaded France. The Manchurian Railway, which is the beginning of oriental railway building, bought all its rails and rolling stock in the United States. American bridges span rivers on every continent. American cranes are swinging over many foreign moles. Wherever there are extensive harvests there may be found American machinery to gather the grain. In every market of the world tools can have no better recommendation than the mark, "Made in America."

American windmills are working east of the Jordan and in the land of Bashan. Phonographs are making a conquest of all tongues. The chrysanthemum banner of Japan floats from the palace of the Mikado on a flag-staff cut from a Washington forest, as does the banner of St. George from Windsor Castle. The American typesetting machines are used by foreign newspapers, and our cash registers keep accounts for scores of nations. America makes sewing machines for the world. Our bicycles are standards of excellence everywhere.

Our typewriters.—Our typewriters are winning their way wherever a written language is used. In all kinds of electrical appliances we have become the foremost producers. In many European cities American dynamos light streets and operate railways. Much of the machinery that is to electrify London tram lines is now being built in Pittsburgh. The American shoe has captured the favor of all Europe, and the foreign makers are hastening to import our machinery that they may compete with our makers. In the Far East, in the capital of Korea, the hermit nation, there was recently inaugurated, with music and flying banners, an electric railway, built of American materials by a San Francisco engineer, and now is operated by American motormen.

One might go on without end, telling in detail the story of American industrial growth and commercial expansion. In the list of our triumphs we would find that American exports have not been confined to specialties nor limited as to markets. We have been successfully meeting competition everywhere. America has sent coal to Newcastle, cotton to Manchester, cutlery to Sheffield, potatoes to Ireland, champagnes to France, watches to Switzerland, and "Rhine wine" to Germany.

This statement also was used almost verbatim by the gentleman from Ohio [Mr. DICK] in a speech found in the CONGRESSIONAL RECORD of December 16, 1903. On December 20, 1903, an article appeared in the St. Louis Republic, written by the correspondent of that paper from Sydney, Australia—I think Mr. Frank G. Carpenter—and I desire to copy that article in my remarks at this point.

[Special correspondence of the Sunday Republic.]

WASHINGTON, December 18, 1903.

The prospect is that the United States will push their foreign trade during the coming year as never before.

The home market is almost glutted, and if our factories are to keep busy they must make goods for the world outside.

I have described the markets of Europe, where our trade amounts to about a billion dollars a year, and I have also written of our invasion of South America.

In this letter I will point out our possibilities on the other side of the globe. In the first place, take Australasia.

Sydney has already 500,000 people, and it grows like the bean stalk up which little Jack climbed to fight the giants.

Sydney stands about third among the great British cities in trade. It is only exceeded by London and Liverpool, and it does more business than Havre, the chief port of France.

Several American firms have houses in Sydney and transship our goods from there to all parts of Australia.

But what do we sell away down there below the equator?

A recent shipment of one of the big San Francisco steamers included 400 tons of sewing machines, 1,000 tons of fencing wire, 400 tons of roll paper, and 80,000 cases and 1,500 barrels of kerosene.

There were also rifles, guns, and revolvers, tons of Philadelphia lawn mowers, Chicago reapers, wagons knocked down, coffee mills, and all sorts of patent medicines.

Another cargo arrived about the same time, bringing 24 locomotives from Wilmington, Del.; 700 tons of paper, and 4,000 tons of other manufactured goods.

This last shipment weighed 10,000 tons and was valued at \$1,000,000.

About two years ago I traveled over the greater part of eastern Australia. I found our reapers and mowers for sale in every town and was told that the Australians liked our farm tools.

So far only the heavy agricultural machinery is being properly pushed.

The McCormicks, the Deeringes, and others of our implement firms work Australia as carefully as they do their home territory, and they have to fight for every inch of the ground with the Canadian and European exporters. Nevertheless, they have the bulk of the business and make a good profit.

The same should be the case with the lighter farm tools.

All sorts of farm implements, plows, hoes, forks, and rakes might be sold in large quantities, as well as every class of American goods made of iron and steel.

Our carpenter tools are popular. Seven-tenths of all the saws used in that part of the world come from the United States, and the American ax is considered the best in the market.

Among the biggest purchasers of Australasia are the colonial and municipal governments.

They control the railroads and buy in quantity for both the electric and the steam roads, so that our steel trust drummers can make big sales if they know how to work the officials. As it is now, American engines are used on many of the lines, and some tracks are laid with American rails.

There are a few Pullman cars and other kinds of American rolling stock. Australasia has now about 13,000 miles of tracks and the governments are pushing the roads in different directions to develop the country.

Only the other day the gentleman on the other side from Connecticut [Mr. HILL], in a burst of eloquence on this floor, told us that—

Two years ago I stood on the deck of a Japanese liner in the harbor of Vladivostok, Siberia. In the hold of that ship were 700 tons of American agricultural implements that had come across the Pacific Ocean from America for the use of the peasants of Siberia. They came under the Dingley tariff law.

Right across the other side of the harbor was an English tramp ship loaded with American steel rails from Pennsylvania, that had been shipped there to be used by the Siberian Railroad, and shipped there under the Dingley tariff bill.

That day I went ashore, and at night, at the hotel in Vladivostok, I was introduced to a gentleman who told me that he represented the Baldwin Locomotive Works, of Philadelphia, and had just finished a contract by which he had put into operation on the Siberian Railroad 150 Baldwin locomotives, shipped there under the Dingley tariff bill.

The next day I rode 500 miles up to the Amur River over American steel rails shipped there under the Dingley tariff bill. The day following I got aboard the steamer to go up the Amur River 1,500 miles. It was a steel steamer and had in tow two steel barges, both made in Pittsburgh, Pa., sent there—12,000 miles, to the other side of the world—and shipped there under the Dingley tariff bill.

The first night out we wrecked one of these barges and the freight had to be unloaded. There were all sorts of American products in that cargo of freight. Ten thousand miles from here, gentlemen, in the little Siberian village of Gorbizta, consisting of a dozen log houses, in a little store not over 8 by 10, we bought packages of candy wrapped up in paper on which was printed the picture of William McKinley to popularize that candy among the peasants of Siberia, all shipped there under the Dingley tariff bill. All the way across Asia my journey on the cars was made safe and pleasant by the Westinghouse air brake, made in Pittsburgh, Pa., and shipped over there under the Dingley tariff bill. The finest stores in Europe—in Vienna, in Berlin, in Paris, and in London—are those which are selling American shoes shipped there under the Dingley tariff bill.

In a colloquy on this floor, I think between the gentleman from New Jersey [Mr. BENNY] and the gentleman from Ohio [Mr. GROSVENOR], a newspaper item from the New York American was read. It is as follows:

BERLIN, November 15, 1903.

The Frankfurter Zeitung's Constantinople correspondent says the Pennsylvania Steel Company has been awarded the contract for 20,000 tons of steel rails for the Mecca Railway, in competition with the Krupp and several other German and Belgian establishments. The price is \$22.85 per ton in Beirut. The price of steel rails in the United States is \$28 per ton, which is the highest average price in ten years.

The gentleman from Ohio [Mr. GROSVENOR], replying to a statement of the gentleman from New Jersey [Mr. BENNY] in this connection, said that it was the first time he had ever heard a Democrat solicitous about railroads in the purchase of steel rails, which reply was applauded on the Republican side.

Ah, gentleman, that statement may serve as a temporary evasion of the question. It may be all right as repartee, but it will not satisfy the voters of this country. They know that they pay for this increased cost in increased freight and passenger rates. Railroads are not benevolent or charitable institutions, and when it costs more to construct, repair, and operate railroads, they must of necessity, and do, charge the people more who use them. You tell us one moment that the industries of the country can not exist without protection, and boast in the next that "They are meeting competition everywhere." You say in one sentence that imported free-trade goods would close our mills and throw our laborers out of employment, and in the next tell us these same manufacturers are shipping their goods everywhere, paying freights, and selling them in open competition with the products of the world.

The soil of South Africa, Australia, and Japan is turned by American plows, shipped there under the Dingley law, and sold, after paying the freight, in competition with the trade of the

world. Yet the American, over whose field perhaps floats the smoke from the very factory making those plows, must pay 20 per cent, or one-fifth, more, not to the Government, but to the implement trust, for the plow he follows. The clatter of American harvesters shipped there, you tell us, under the Dingley law, and sold, after paying freights, in competition with the world, may be heard in Europe and in Asia and wherever there are harvests to gather. Yet the Missouri or Illinois or Iowa farmer who buys a mower or reaper or binder must pay 20 per cent, or one-fifth, more into the till of the "international harvester" trust.

The hum of the American sewing machine may be heard along the banks of the Bosphorus, the Danube, and the Rhine, and is found in the palace of the oriental, shipped there and sold in open competition with the trade of the world. Yet the poor American seamstress who lives under the very shadow of the factory where they are made must, when she buys a machine, if she is so fortunate as to be able to own one, pay a higher price than is paid by the German peasant on the banks of the Rhine.

You boast that locomotives made in Philadelphia draw the crowned heads of royalty over European hills, and that the echoes from the silent solitudes of the Siberian desert are awakened by the shrill whistle of the American engine, running over American steel rails, shipped there from Pittsburgh and sold for \$5 less per ton than they are sold in America to build roads to carry the grain and live stock of America's farmers to market on; that these American manufacturers are building railways and bridges for the oriental potentates cheaper and better and quicker than anybody else on earth can do it; and yet you say these same manufacturers can not exist in competition with European manufacturers and that the American who consumes their products must be taxed for their benefit.

You tell us "American shoes have captured the favor of Europe, and the foreign makers are hastening to import our machinery that they may compete with our makers;" that "the finest stores in Vienna, in Paris, in Berlin, and in London are those which are selling American shoes, shipped there under the Dingley law," and yet the American shoe manufacturers must, by legislation, be permitted to extort from the earnings of the American purchaser of shoes from 25 per cent to 45 per cent increase in cost to protect these same manufacturers from competition with the European shoe manufacturers, and the very man who drives a peg or stitches a seam in the shoe in the factory where they are made must contribute his share of this bonus, or tribute, to the shoe trust, under this unholy schedule. Such are the blessings of protection.

"We are shipping cutlery to Sheffield," yet the American housewife must pay from 40 to 60 per cent more for her table cutlery—her knives and forks—her dishes, her china and glass and earthen ware, that the tariff barons may enjoy the beneficent results of protection. You say, in your campaign book, and I assume it was prepared after deliberation and with consideration, and you ratify and confirm it on the floor of this House, "In the list of our triumphs we would find that American exports have not been confined to specialties nor limited as to markets. We have been successfully meeting competition everywhere." If you can pay the freight 10,000 miles and meet competition there, why can't you do it here, with such incidental protection as a strictly revenue tariff would afford, when the burden of the item of freight rates would be lifted from you and added to the selling price of that competitor who can't meet your prices on his own ground. If he can't meet your prices when you pay the freight, how under heaven can he undersell you when he pays the freight?

I want to insert at this point a table showing domestic and foreign prices on a number of articles:

Export and home prices.

Article and description.	Quantity quoted.	Export price.	Home price.	Per cent of difference.
Acetylene-gas generator, Colt, 10-light.	Each	\$40.00	\$55.00	37
Ammunition caps:				
BB round	1,000	1.03	1.49	43
Central fire, 32 long, Colt's.	1,000	6.48	9.00	40
Rim fire, 22 long	1,000	2.16	3.00	39
Primed shells, 22 short	1,000 .....	.72	1.53	112
Axle grease, Snow Flake (gallon cans).	Dozen	4.50	5.40	20
Borax, city refined	Pound .....	.02½	.07½	210
Carbide, lump	Ton	55.00	70.00	27
Chucks:				
Skinner's standard drill, No. 100.	.....	3.09	4.90	58
Skinner's ind. lathe, F, 12 inches.	Each	15.86	24.00	51
Union Mfg. Co., ind., No. 18, 10 inches.	.....do	10.20	16.00	63
Union Mfg. Co., face-plate jaws, No. 48, 8 inches.	4 sets	23.52	39.00	66

Export and home prices—Continued.

Article and description.	Quantity quoted.	Export price.	Home price.	Per cent of difference.
Coffee and spice mills, Enterprise.	Each	\$40 and 2 per cent.	25 to 30 per cent.	20
Fruit presses, Enterprise No. 43.	.....	\$8.82	\$11.00	25
Harness snaps, Covert's:				
"Trojan" loop, 1½ inches	Gross	2.40	3.23	35
"Derby" loop, 1 inch .....	.....	1.68	2.24	33
"Yankee" roller, 1½ inches, XC breast strap.	.....	1.00	1.37	37
Lead, pig	100 pounds	2.00 to 2.50	3.37½	58 to 98
Meat choppers:				
Enterprise No. 5	Each .....	.75	1.04	39
Enterprise No. 10	do	1.14	1.56	37
Enterprise No. 22	do	1.51	2.08	38
Enterprise No. 32	do	2.25	3.12	33
Nails, cut—20d. to 60d.	100 pounds	1.80	2.05	13
Nails, wire—Base price	do	1.30	2.05	58
Oil-well supplies:				
Pianos—				
Bradbury	Each	300.00	375.00	25
Bradbury	do	275.00	325.00	18
Playing cards:				
United States Playing Card Co.	.....		
Bicycle	Gross	12.35	25.65	108
Powder:				
Duck, in canister, pound	Pound .....	.37½	.45	20
Duck, in 25-pound kegs	do .....	.24½	.32	30
Indian rifle, in 25-pound kegs, FFFG, etc.	do .....	.11½	.16	37
Smokeless, in 25-pound kegs	do .....	.37½	.48	27
Seeders, raisin and grape, Enterprise.	.....	\$40 and 5 per cent.	25 to 30 per cent.	30
Rakes, malleable iron shanks:				
10-inch	Dozen	1.18	1.50	27
12-inch	do	1.28	1.60	25
14-inch	do	1.39	1.75	26
16-inch	do	1.50	1.85	23
Sad irons, BB, in cases	Per pound	2½ to 3½ cents.	3½ to 4 cents.	25
Sausage stuffers, Enterprise	.....	\$40 and 2 per cent.	\$25 to \$25 and 7½ per cent.	20
Saws, Disston & Sons:				
Band—				
2½ inch, gauge 18	Foot .....	.21	.34	62
10 inch, gauge 18	do	1.25	1.54	23
Butchers'—				
No. 7, 24 inches	Dozen	8.50	10.22	20
Hand—				
No. 12, 24 inches	do	14.82	18.04	22
No. 16, 24 inches	do	11.97	14.57	22
No. 107, 24 inches	do	10.83	12.30	13
Sewing machines:				
Domestic No. 1	Each	13.25	20.00	59
Domestic No. 4 or 9	do	17.48	25.00	43
Shovels:				
Barter, socket strap	Dozen	5.83 to 6.52	7.50 to 8.40	29
Rowland, plain back	do	5.12 to 5.83	6.75 to 7.00	29
Thomas, cast-steel back straps.	do	4.19 to 4.95	5.40 to 6.30	29
Tin plates, Bessemer	100 pounds	3.19	4.19	31
Typewriters, Remington and others.	Each	55.00 to 65.00	100.00	54 to 82
Wire, barb:				
Galvanized	100 pounds	2.25	2.90	29
Painted or varnished	do	1.86	2.60	40
Wire, plain fencing	do	1.37½	2.00	45
Wire, plain galvanized:				
Gauge 4 to 9	100 pounds	1.54	2.70	75
Gauge 10 to 12	do	1.62	2.97	83
Gauge 12	do	1.76	3.10	76
Gauge 13 to 14	do	1.81	3.37	81
Gauge 15 to 16	do	2.08	3.78	81
Gauge 17	do	2.46	4.05	65
Gauge 18	do	2.63	4.32	64
Rubber insulated .....	.....	(b)		
Steel armor, for cables	Pound	3.75	4.15	11
Wire rope:				
Galvanized, 2½ inches circumference.	100 feet	3.12	9.70	211
1 inch circumference	do .....	.72	2.60	261

a Cheaper in Russia than in United States.
b 25 per cent off for export.

In explanation of a few items in the above table it may be said that some of the American prices are taken from the Iron Age of May 22, 1902. Not all of the prices quoted are for May, but all or nearly all are for the year 1902, and there is every reason for supposing that similar prices and differences existed in May.

The export prices on heavy steel goods, like rails, billets, structural materials, etc., are not contained in the table, partly for the reason that exact prices are not known and partly for the reason that the present home demand in these lines is such that our manufacturers are not just now bidding for export business. They are, however, filling orders at prices from 20 per cent to 40 per cent below home prices and are undoubtedly securing some new orders, especially in bridge material. It should be remembered that the pools and price agreements on rails, billets, sheets, plates, structural work, etc., are not in force on export goods, and our manufacturers usually compete freely in foreign countries. The blessings of competition are still enjoyed by foreigners even when dealing with protected manufacturers.

Facts in regard to the export prices of lead were given in the Oil, Paint, and Drug Reporter of December 30, 1901, and in the testimony of Mr. John M. Peters before the Ways and Means Committee on April 2, 1902.

Figures and schedules are to most people very dry reading. My

deliberate judgment is that it is only because of the insidious and deceptive methods by which this system of legalized extortion is carried on that it has been tolerated this long. No man knows or can tell at the end of the year the precise amount he has been forced to pay by reason of it in increased cost to him of the articles he purchased during the year, and it would require a vast amount of study and labor to find this out. On some things there is a specific duty, on some an ad valorem, on others both, and on others a graduated rate, varying on different classes of the same article.

The Spanish war revenue tax suggested a thought to me. If under the revenue laws articles were priced at what the cost would be without the tariff, and then the purchaser had to buy a revenue stamp representing the increased cost by reason of the duty; if the farmer could buy his plow, his mower, his reaper, his fencing wire, his nails, his harness, his shoes, his clothing, and his furniture at what they would cost him if there were no duty, and then were forced each time he made a purchase to expend from one-third to one-half more for a revenue stamp to paste on the article; if the good housewife could buy her cutlery, her china, and household necessities for what they would cost less the duty, and then had to expend one-third more for a revenue stamp representing the tariff duty, each knowing when they did it that this added cost for the stamp did not reach the Government Treasury, but went into the maw of some tariff-nurtured trust; if this or any other system existed by which the people would fully know just when, how often, and how much was being extorted from them that the manufacturing parasites might fatten at their expense, there would not be but one election thereafter until the whole pernicious system of legalized robbery would be revised and reconstructed along the lines of a strictly revenue basis.

You talk about the laborer and the workingman, and even while you are talking thousands are being thrown out of employment, and the cost of living, as shown by Dun's Review for January 9 of this year, has increased since January 1, 1897, more than 30 per cent. Here is that statement in detail:

PRICES PROPORTIONED TO CONSUMPTION.
(Dun's Index Number from Dun's Review.)

In the following table the course of prices of commodities is shown with due allowance for the relative importance of each. Quotations of all the necessities of life are taken, including whisky and tobacco, and in each case the price is multiplied by the annual per capita consumption, which precludes any one commodity having more than its proper weight in the aggregate. For example, the price of a bushel of wheat is multiplied by 5.55, representing the annual per capita consumption of $\frac{1}{2}$ bushels for food, and the remainder as allowance for seed. The price per pound of coffee is taken 9 times, of cheese 2.3, of chemicals only fractions of an ounce in some cases. Thus, wide fluctuations in the price of an article little used do not materially affect the index, but changes in the great staples have a large influence in advancing or depressing the total.

For convenience of comparison and economy of space the prices are grouped in seven classes: Breadstuffs include many quotations of wheat, corn, oats, rye, barley, beans, and peas; meats include live hogs, beef, sheep, and many provisions, lard, tallow, etc.; dairy and garden products embrace eggs, vegetables, fruits, milk, butter, cheese, etc.; other food includes fish, liquors, condiments, sugar, rice, tobacco, etc.; clothing covers the raw material of each industry, and many quotations of woolen, cotton, silk, and rubber goods, as well as hides, leather, boots, and shoes; metals include various quotations of pig iron and partially manufactured and finished products, as well as the minor metals, tin, lead, copper, etc., and coal and petroleum; miscellaneous include many grades of hard and soft lumber, lath, brick, lime, glass, turpentine, hemp, linseed oil, paints, fertilizers, and drugs. The third decimal is given for accuracy of comparison; thus, \$101.587 representing \$101.58 and seven-tenths of a cent. This figure does not purport to show the exact average annual cost of living on January 1, 1902, because wholesale prices are taken and all luxuries omitted. Its economic value is in showing the percentage of advance or decline from month to month.

In the following table the latest index-number figures are compared with earlier records:

Date.	Breadstuffs.	Meats.	Dairy and garden.	Other food.	Clothing.	Metals.	Miscellaneous.	Total.
1897.								
January 1.....	11.729	7.327	10.456	8.170	12.407	13.014	12.399	75.502
July 1 (low)....	10.587	7.529	8.714	7.887	13.808	11.642	12.288	72.455
1898.								
January 1.....	13.511	7.336	12.371	8.312	14.654	11.572	12.184	79.940
February 1.....	13.651	7.516	12.481	8.251	14.805	11.635	12.266	80.635
March 1.....	14.242	7.900	11.745	8.408	14.892	11.708	12.188	81.133
April 1.....	13.619	7.881	11.848	8.366	14.715	11.435	12.235	80.091
May 1.....	15.833	7.536	12.312	8.653	14.627	11.658	12.031	83.403
June 1.....	16.388	7.786	11.946	8.554	14.783	11.857	12.614	82.928
July 1.....	12.783	7.694	9.437	8.823	14.663	11.843	13.522	77.768
August 1.....	12.191	7.825	9.625	8.795	14.634	11.397	12.519	76.986
September 1....	11.791	7.893	9.548	8.879	14.533	11.697	12.467	76.898
October 1.....	11.759	7.628	9.021	8.812	14.350	11.796	12.604	75.970
November 1.....	12.877	7.547	10.427	8.805	14.161	11.505	12.577	77.899
December 1....	13.186	7.215	11.388	8.902	14.105	11.892	12.491	79.179
1899.								
January 1.....	13.816	7.520	11.458	9.096	14.150	11.843	12.540	80.423
February 1.....	14.410	7.823	10.897	9.084	14.257	12.731	12.552	81.734
March 1.....	14.709	7.927	11.825	9.086	14.530	13.540	12.545	84.102
April 1.....	14.099	7.790	11.680	9.052	14.615	13.314	12.650	84.200
May 1.....	14.073	7.853	11.893	9.179	14.804	14.102	12.625	84.529

Date.	Breadstuffs.	Meats.	Dairy and garden.	Other food.	Clothing.	Metals.	Miscellaneous.	Total.
1899.								
June 1.....	13.610	7.726	11.703	9.183	15.051	15.008	12.914	85.795
July 1.....	13.483	7.988	10.974	9.157	15.021	15.035	12.969	85.227
August 1.....	12.403	8.274	9.936	9.086	15.318	16.616	14.364	85.997
September 1....	12.431	8.200	11.005	9.165	15.502	17.413	14.435	88.151
October 1.....	13.315	8.378	11.663	9.069	15.865	18.042	14.965	91.297
November 1.....	13.282	8.312	11.746	9.060	16.243	18.372	15.158	92.173
December 1....	12.990	7.984	12.782	9.076	17.314	18.053	16.232	94.431
1900.								
January 1.....	13.254	7.258	13.702	9.200	17.484	18.085	16.312	95.295
February 1.....	13.486	8.612	12.580	9.401	17.572	18.112	16.413	96.176
March 1.....	13.512	8.571	12.319	9.389	17.750	18.149	16.911	96.601
April 1.....	14.380	8.823	12.604	9.349	17.633	17.793	16.796	97.378
May 1.....	14.288	8.932	11.990	9.341	17.648	16.188	16.748	95.075
June 1.....	13.239	8.687	11.409	9.324	16.746	15.799	16.575	91.829
July 1.....	14.898	8.906	10.901	9.482	16.824	14.834	16.070	91.415
August 1.....	13.880	9.068	11.532	9.618	16.106	15.151	16.170	91.525
September 1....	13.917	9.014	11.251	9.650	15.843	14.870	16.169	90.714
October 1.....	14.255	9.105	12.231	9.808	15.880	15.574	15.666	92.614
November 1.....	13.853	8.669	12.363	9.640	16.012	15.077	15.663	91.297
December 1....	13.843	8.269	13.867	9.544	15.744	15.235	15.872	92.394
1901.								
January 1.....	14.486	8.407	15.556	9.504	16.024	15.810	15.881	95.668
February 1.....	15.062	8.592	13.868	9.418	16.271	15.845	15.956	95.010
March 1.....	15.070	8.696	13.898	9.396	15.460	15.875	16.471	94.896
April 1.....	15.221	9.294	13.519	9.208	14.901	16.048	16.629	94.910
May 1.....	16.112	9.251	14.983	9.154	14.945	15.179	16.596	96.220
June 1.....	15.635	9.224	13.181	9.116	14.882	15.249	16.532	93.799
July 1.....	14.904	9.493	11.090	9.086	15.098	15.344	16.617	91.509
August 1.....	16.068	9.151	13.261	9.253	15.027	15.345	16.625	95.830
September 1....	17.369	9.590	13.009	9.153	15.234	16.091	16.525	96.911
October 1.....	17.146	9.517	13.164	9.190	15.273	15.700	16.835	96.891
November 1.....	17.840	9.929	13.622	9.157	15.342	15.876	16.977	97.743
December 1....	19.528	9.259	15.675	9.081	15.331	15.722	16.732	101.678
1902.								
January 1.....	20.002	9.670	15.248	8.952	15.547	15.375	16.793	101.587
February 1.....	19.505	9.494	14.384	8.961	15.450	15.494	16.278	99.576
March 1.....	19.868	9.884	15.611	8.910	15.498	15.563	16.259	101.503
April 1.....	19.232	10.479	13.832	8.827	15.145	15.163	16.554	99.222
May 1.....	19.959	10.988	14.737	8.742	15.527	15.702	16.654	102.289
June 1.....	19.241	11.269	13.657	8.744	15.539	15.903	16.815	101.168
July 1.....	20.534	11.628	12.557	8.748	15.533	16.084	16.826	101.910
August 1.....	19.983	11.679	11.347	8.821	15.582	16.230	16.526	100.177
September 1....	17.579	10.402	10.930	8.811	15.773	16.655	16.532	96.682
October 1.....	17.494	10.279	12.931	8.800	15.771	16.736	16.637	100.648
November 1.....	17.564	10.020	13.408	8.868	15.785	17.383	16.551	99.579
December 1....	17.449	9.935	14.656	8.913	15.781	17.178	16.537	100.449
1903.								
January 1.....	17.104	9.522	14.613	9.418	15.938	17.185	16.576	100.356
February 1.....	17.060	9.180	14.337	9.365	16.268	17.095	17.015	100.920
March 1.....	17.868	9.607	13.539	9.405	16.504	17.085	17.059	101.067
April 1.....	16.724	9.659	13.512	9.348	16.406	16.564	17.054	99.267
May 1.....	16.380	9.755	13.164	9.234	16.543	16.585	16.900	98.561
June 1.....	17.034	9.216	13.248	9.216	16.793	16.542	16.887	98.936
July 1.....	17.473	9.269	13.083	9.186	17.136	16.544	16.765	99.456
August 1.....	17.375	8.977	11.800	9.266	17.137	16.489	16.807	97.891
September 1....	17.477	8.921	12.351	9.242	17.137	16.543	16.870	98.541
October 1.....	16.696	8.830	12.609	9.171	16.816	16.366	16.890	97.378
November 1.....	16.617	7.994	13.584	9.124	16.680	16.170	17.056	97.825
December 1....	16.348	7.956	14.573	9.648	16.822	16.031	16.845	98.223
1904.								
January 1.....	17.102	8.138	15.287	9.633	17.316	15.887	16.759	100.142

NOTE.—Breadstuffs include many quotations of wheat, corn, oats, rye, and barley, besides beans and peas; meats include live hogs, beef, sheep, and many provisions, lard, tallow, etc.; dairy and garden products include eggs, vegetables, and fruits; other foods include fish, liquors, condiments, sugar, rice, tobacco, etc.; clothing includes the raw material of each industry, and many quotations of woolen, cotton, and other textile goods, as well as hides, leather, boots and shoes; metals include various quotations of pig iron, and partially manufactured and finished products, as well as minor metals, coal, and petroleum. The miscellaneous class embraces many grades of hard and soft lumber, lath, brick, lime, glass, turpentine, hemp, linseed oil, paints, fertilizers, and drugs.

In the way of decreasing the amount of living and increasing the amount of work, protection has proven a success; but most men desire as much living for as little work as possible, and not the greatest possible amount of work and the least possible amount of living. We do not live that we may work, but work that we may live. You grow almost pathetic about conditions in 1893, and almost shed tears as you talk of Coxey's army, and describe "the fire dying out in the furnaces," and "wheels ceasing to turn," and "the empty dinner pail," and the general stagnation which prevailed; but you fail to remember that every law on the statute books when that panic came, and when it went, was a Republican law. We had the McKinley tariff law and the Sherman financial law.

You are "standing pat." You say, representing the Government: "I do not need and do not want this additional revenue, but I will lay the tax so that you, the selected and favored ones, may collect it. I do not need to tax the consumer for myself, but I will hold while you tax him."

Every tax, in mathematical language, is a quantity affected by a minus sign. Yet you are standing pat on the theory that we can tax ourselves into prosperity; that it is the duty of an obedient

and subservient peasantry and artisan class to pay the taxes and support the other part of the political and industrial and economic structure; that the lower class should pay upward and the upper ranks bless downward.

We were right in 1896, and we were right in 1900. We were asking for more money with which to do the business of the country, and the subsequent additions to our stock of metallic money from an unforeseen and unexpected source has only vindicated the principles for which we then contended and to which we still adhere.

The gentleman from Connecticut [Mr. HILL] boasts that in the district which he represents there are more manufacturing industries than are in all the districts of all the Democratic Members who sit at the table of the Ways and Means Committee of this House. We, at least some of us, proudly say to him that we represent more than any other one class that class of American citizens upon whom all other classes are dependent; that great class who constitute about one-half the population of this country; that class the fruits of whose industry have given to us those magnificent balances of trade of which you boast and brought to the country from abroad the greater part of that wealth the enjoyment of much of which is denied them by your unjust exactions that your favored class may fatten; that class who more than all others sustain the country in peace and are its bravest defenders in time of danger; that great class of brawny, vigorous American farmers in whose humble homes and around whose firesides honor and patriotism and all the virtues which make up the best type of American citizenship find their abode. [Applause on the Democratic side.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, I wish the gentleman on the other side would consume some time.

Mr. HILL of Connecticut. Mr. Chairman, I understood a few moments ago that there was spare time on this side of the House, and I thought that I would take advantage of it. I desire to discuss very briefly the financial proposition embraced in the article prepared by the honorable gentleman from Mississippi [Mr. WILLIAMS] and published in Everybody's Magazine. I wish I were better prepared to discuss it and had known that I was going to speak. The article is headed, "What Democracy now stands for."

Mr. WILLIAMS of Mississippi. In that connection—

Mr. HILL of Connecticut. Of course I assume that the gentleman is not responsible for that heading.

Mr. WILLIAMS of Mississippi. I am not responsible for the heading.

Mr. HILL of Connecticut. Nor for the introductory paragraph, which states that it is an authoritative statement.

Mr. WILLIAMS of Mississippi. No.

Mr. HILL of Connecticut. I did not assume that, because I know the gentleman too well to suppose for a moment that he would put a heading of that kind above an article of which he was the author; but for the statements in the article the gentleman is responsible. I desire to read so much of that article as relates to the probable future views of the Democratic party in the opinion of the leader of the minority.

The article reads as follows:

The same old principle of Democratic equality, or approximate equality of benefit and of burden, ought to show that the Democratic party could not very well stand in finance for the Aldrich bill or the Fowler bill—certainly not for any proposition looking toward the giving out for circulation of Government-guaranteed currency upon the deposit of the bonds of private corporations, thus making the Government a partner in the affairs and in the maintenance of the credit of a few selected, and therefore favored, bond-issuing corporations.

If that means anything, gentlemen, it means that the Democratic party in the future is to be absolutely opposed to the national-banking system. I am not overstating that, am I?

Mr. WILLIAMS of Mississippi. I should think you are overstating it a great deal, if you are confining yourself to the construction of those words in my article.

Mr. HILL of Connecticut (reading):

The same principle, when applied to the present system of Government deposits with national banks would teach, or ought to teach, that the Government ought not virtually to lend its money free—would teach, or ought to teach, that if Government money is to be deposited in banks at all (and with a revenue far beyond the needs of an economical or even of the present extravagant Government, that seems a present necessity in order not to starve commerce and industry by lack of cash), then the deposits ought to be made upon some system whereby there could be secured, first, undoubted, guaranteed, and infallible security for the return of the principle deposited, and, secondly, in such banks as, having given that security, should, by competitive bid, offer for the deposit the highest rate of interest.

Nor is there any Democratic reason why Government deposits, amply secured in some such way as I have indicated, should be confined to national banks alone, it being apparent that the security which ought to be deposited in the Government vaults in return for the money deposited in the bank vaults would be, as above indicated, a self-sufficing security, totally independent of the bank's future solvency or insolvency.

Talking about depositaries and their security, except the miraculous construction by the President and his Administration of the treaty with Colombia, whereby the pledge of the United States to "guarantee the sovereignty of Colombia" over the transisthmian strip was construed to mean a promise to upset that sovereignty by preventing Colombia from enforcing it, there is nothing quite so marvelous as the construction which the Secretary of the

Treasury gave to section 5153 of the Revised Statutes. The language of that section is this—

And this is what I would wish to call to the attention of both sides of the House, the language of this statute as I read it, and the construction which the gentleman from Mississippi himself has put upon it and upon the action of the Secretary of the Treasury—

"The Secretary of the Treasury shall require the associations thus designated" (meaning the depositaries) "to give satisfactory security by the deposit of United States bonds and otherwise * * *." The Secretary of the Treasury simply and calmly scratched out the word "and" and inserted the word "or" in lieu thereof.

The language of that statute is this:

The Secretary of the Treasury shall require the associations thus designated—

Meaning the depositaries—

to give satisfactory security by the deposit of United States bonds and otherwise.

The gentleman says the Secretary of the Treasury simply, calmly scratched out the word "and" and inserted the word "or" in lieu thereof.

I take the ground, gentlemen, there is absolutely no difference in the meaning of the statute as it is and its meaning as revised by the gentleman from Mississippi in criticising the action of the Secretary of the Treasury in the change of the word "and" and "or," if it had been so changed, as it was not, and as this article would seem to imply. But if it had been, it would have made no difference whatever in the power conferred upon the Secretary of the Treasury.

Now I go further. I hold in my hand the report of the Treasurer of the United States for the present year, just issued, and I call the attention of the gentleman from Mississippi to the fact that the policy and action of the Secretary of the Treasury to-day are in accord with Democratic policy from 1784 down to now; that there has not been a minute, except from 1846 to 1860, when this policy has not been pursued in precisely the same way that it now is; that again and again in the early history of the Government and under Democratic administration investigations were made, reports were made by select committees of Congress and by the Secretary of the Treasury himself, and invariably that action was sustained and continued for fifty years under Democratic administration.

Mr. WILLIAMS of Mississippi. Does the gentleman contend that it was under that statute?

Mr. HILL of Connecticut. That statute did not exist. It was done before this law was enacted. Let me call the attention of the gentleman to the Treasurer's report, on page 20, where it commences with the history of the transactions of the Treasury. It shows that down to 1836 all of the money of the Government was deposited in banks and no interest paid upon it, and all under Democratic Administrations, and all without interest; and that is the true policy under which the Treasury of the United States should be conducted. I find that the transfer of deposits by President Jackson was only from one bank to other banks, and that his "pet banks" troubled him exactly the same under a Democratic Administration as they are liable to give trouble under Republican Administrations.

Mr. SMITH of Kentucky. Will the gentleman allow me to ask him a question?

Mr. HILL of Connecticut. Certainly.

Mr. SMITH of Kentucky. I would like to ask the gentleman if it is not a fact that President Harrison condemned this practice in one of his annual messages to Congress?

Mr. HILL of Connecticut. And every business man will condemn a practice by which the money of the people of the United States is taken from them, if taken unnecessarily and placed out at interest and put up at auction, as proposed by the leader of the Democratic minority upon the floor of this House.

Mr. SMITH of Kentucky. But does the gentleman deny that President Harrison condemned the policy of placing the money of the United States in the banks without compensation?

Mr. HILL of Connecticut. Very likely he might have done so. I do not know whether he did or not.

Mr. SMITH of Kentucky. But he did do so.

Mr. HILL of Connecticut. It has been the practice since the beginning of the Government down to now; and if the gentleman will turn to the report of the Treasurer of the United States, at page 140, he will find a statement showing for every year from the beginning of the Government the amount of money that has been held in the Treasury and the amount of money which was found in the public depositories; he will find that clear down to 1836 there was none held in the Treasury of the United States, but that it was all in banks, as States, cities, and corporations hold it to-day, and as we ought to do now, keeping the money in circulation rather than withdrawing it. He will find that from 1836 to 1846 it was divided, partly between the banks and partly

in the Treasury, and during this decade an occasional interest charge. From 1846 to 1860 he will find it all in the Treasury of the United States, and from 1860 he will find it partly in the banks and partly in the Treasury.

Now, then, personally I believe it ought to be all put in the banks, and not withdrawn from circulation, so that it might be used and not locked up.

I believe it would be wise to change the law and permit that to be done. But I challenge any man to find any real distinction between the statute as it is to-day with the word "and" in it and the statute as it would be with the word "or" in it, which seems to be the crime which the gentleman from Mississippi has laid at the door of the Secretary of the Treasury. Now, Mr. Chairman, I am glad for one that the country has a leader on the Democratic side who is not only willing to criticize but is glad to suggest. I think it is a distinct step upward in the policy of the Democratic party when as a minority party they are willing to become a constructive party, or at least make suggestions as to legislation, and we are not at a loss to-day to know just exactly what the Democratic party would do, if it had the power, with regard to the finances of the country. The gentleman states his unwillingness to comply with the terms of the Aldrich bill and has introduced into the House of Representatives and had referred to the Ways and Means Committee a bill of his own as an alternative proposition.

Mr. WILLIAMS of Mississippi. Not as an alternative proposition to the Aldrich bill.

Mr. HILL of Connecticut. Well, as a substitute proposition for the present condition of things, and I ask the gentleman what is the purpose—

Mr. WILLIAMS of Mississippi. It is simply to strike down one of the evils—and not one of the least—that is now existing, that is all. It does not pretend to be a comprehensive banking and currency measure at all.

Mr. HILL of Connecticut. It was certainly introduced for some purpose. Now, what is the purpose and object of this bill? That once in three months the surplus funds of the United States should be put up at auction to the highest bidder, either to be placed on call or to be placed on time. I deprecate, either on the Republican or Democratic side, any policy looking to such a dangerous use of the Government funds. I deprecated the introduction of the Aldrich bill into Congress for that reason. I was opposed to it. Our funds are now secured by United States bonds. A proposition was introduced at the last session of Congress to have them secured by miscellaneous securities.

Now, I want to show you the retrograde steps we have taken since that came in. Under that bill Government deposits could be secured by State bonds which had not defaulted on their interest, the bonds of certain dividend-paying railroads, and the bonds of certain cities of a hundred thousand population. What happened? Certain gentlemen rose up and stated that the bonds of their cities were just as good as if they had a hundred thousand population, and down went the limit of population to 50,000. Another gentleman rose and said: "I live in a city where the population is only 15,000, but our bonds are absolutely good, as good as those of the city of New York," and down went the limit again. Down went the limit on railroad bonds.

Then it came to county bonds, and nobody knows where it will end if the door is once opened. And that is not all. I see a very distinguished gentleman sitting here right before me whose acquaintance I enjoy and appreciate, yet in this session of Congress he has introduced a bill by which he proposes to permit the United States to make an absolute investment of its surplus money in miscellaneous bonds, county bonds, State bonds, etc., to be bought and sold in the markets. The United States Treasury on Wall street; think of it. That is not all. In another end of the Capitol we have got a bill for the use of these same miscellaneous bonds to secure national-bank circulation, and that is the way we have gone since that original proposition of the Aldrich bill was introduced. There is where we have gone and there is the tendency; and, gentlemen, I must confess that this proposition is still more dangerous than anything I have seen.

Now, could it be accomplished? No. It is absolutely impossible, with safety to the country. And if anything was accomplished it would be wholly in the opposite direction from that which the distinguished gentleman expected. Now, why? The Aldrich bill possessed the same imperfections that this bill does. That had been carefully examined and objected to here, but one day a telegram came from Chicago—a "round robin," signed by the officers of every bank in the city—protesting against its passage. Why? Because the effect of it, gentlemen, would have been exactly the same as this would produce, namely, to strip every Government deposit from every country bank throughout the United States and concentrate them in Wall street; and I do not believe that is what the gentleman from Mississippi intends.

Now, let me demonstrate it. In making a proposition of this kind he overlooks one thing—that it becomes necessary to invest in bonds for security. I will show you what the effect would be under the terms of this bill if the plan of the gentleman from Mississippi was carried out. Under the present law it would be necessary to buy \$100,000 of 2 per cent bonds in order to put up the security, at 105½, the price at which they stand to-day, and this, in a community where the market rate for money was 6 per cent, would take \$105,500, with an annual loss of interest of \$9,320, when that purchase was made.

Now, you would get back from that \$2,000 interest on your bonds, so that as far as you have now gone you would be out of pocket \$4,330. To buy your 2 per cent bonds in a 6 per cent section of the country you have got to take 6 per cent money and invest it at a 2 per cent rate, so you have lost 4 per cent on your principal and an equal rate on the premium. The next step is to pledge your bonds with the Government and get a deposit of \$100,000. If no reserve was required you would have \$100,000 to loan and you would receive from that as interest \$8,000, and deducting what was lost annually in the bond investment you would be making by the transaction \$1,670 profit on your deposit. Now, about a 2 per cent community.

You must bear in mind that there is but one 2 per cent market in the United States, and that is Wall Street, with money on call. There is only one. How would the Wall street banker figure this proposition? He would buy a 2 per cent bond with 2 per cent money and would lose only \$110 because of his bond investment, and would receive \$2,000 interest on his loan, and consequently he would be \$1,890 ahead. So that the highest bid that a country bank could make with a 2 per cent bond, without reserve, would be 1.67 per cent, and the Wall street banker with a 2 per cent market could bid 1.89 per cent.

Now, figure that out in the same way with the reserve required and you will find that a 6 per cent banker in the country could only bid at the auction which you would hold once every three months seventy-seven one hundredths of 1 per cent, while the Wall street banker, with a required reserve of 25 per cent instead of 15 per cent, with a 2 per cent money market could bid 1.89, and he could strip the whole country of these deposits and put them all in Wall street.

Now, how does this bill differ from the Aldrich bill? In this respect, that the Aldrich bill made a minimum limit at which the Secretary without receiving bids could put out the money at 1½ per cent, and you make no minimum at all. The Aldrich bill provided for any amount the Treasurer could loan and for any rate of interest above 1½ per cent, and you put it up at auction in amounts not exceeding the capital of a bank. There is the difference between your bill and the Aldrich bill. They would work absolutely in the same way and to the same end by stripping the country banks of the United States and centering that money in Wall street. Therefore it was not strange that every bond speculator and broker in the United States looked forward with delight and gleeful anticipations to the passage of that bill.

Now, take a miscellaneous bond. I know gentlemen here are apt to think that this could not be so with a 4 or 5 or 6 per cent bond. There is a profit in it unquestionably, but the profit is the greatest in the lowest rate of interest market. There is an apparent fallacy there; but yet, when you come to figure it up, you find it is absolutely so, because you start on the proposition of the higher your rate of interest the more you have got to lose in the bond purchased for security, and that loss must be deducted from the interest received from loaning the Government deposit.

The higher the rate of premium, the more still you will lose. Let me show you how that works out on a miscellaneous bond. Take, for instance, Columbus, Ohio, and compare the 6 per cent and 2 per cent rates:

Investment in a Columbus, Ohio, bond at 110½ and paying 4 per cent interest, \$110,750; at 6 per cent annual interest, \$6,645, loss; deduct coupons, \$4,000, gain; net loss, \$2,645. Deposit, less 25 per cent margin required by the Secretary on miscellaneous bonds, \$75,000; less 15 per cent reserve, \$11,250; net loanable fund, \$63,750; at 6 per cent interest, \$3,825; net gain on transaction, \$1,180.

The same deposit on the same bond, with a reserve of 25 per cent required instead of 15 per cent, would show, at a 2 per cent interest rate, a net profit of \$2,910.

Now, who could afford to make the highest bid? The country banker or the Wall street one?

Mr. PRINCE. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. HILL of Connecticut. Certainly.

Mr. PRINCE. I think in the gentleman's remarks he referred to a bill that I had introduced, wanting to invest one hundred millions of the one hundred and sixty-eight millions now in

national depositories, for which the Government is getting no interest.

Mr. HILL of Connecticut. Yes.

Mr. PRINCE. The Secretary of the Treasury placed that money in the hands of the national depositories, did he not?

Mr. HILL of Connecticut. Yes.

Mr. PRINCE. Now, let me read, if you please, for a moment, what the Secretary of War has done with reference to money that has come into his hands as a result of the sale of the Philippine certificates.

Mr. HILL of Connecticut. I understand, and I will state now that the case is not a parallel one at all. That is money which the Philippine Islands have got to keep as a gold reserve to maintain the parity of their silver currency. They must keep it. It is a permanent fund, subject only to drafts in case there is a demand for gold. The parallel does not exist at all between that case and our condition. We ought not to have a surplus in the banks of the United States. I am free to say that I admit it. But if we are to have it, and so long as it continues, it ought to be there on business principles, ready to be drawn on at sight, not loaned out, for governments borrow, but do not lend.

Mr. PRINCE. Just let the gentleman answer this, after I have read it. It is on page 15 of the report of the Chief of the Bureau of Insular Affairs. It is as follows:

The 3,000 \$1,000 certificates were sent to New York by two representatives of this Bureau to save the large cost of expressage, and on May 1, as promised, they were turned over by the Guaranty Trust Company of New York, insular depository for Philippine funds in New York, to the successful bidders, who deposited therefor with said insular depository \$3,075,390. If this amount could have remained at the agreed rate of interest, 3½ per cent on daily balances, there would have been a profit of \$63,028.65 on this issue at the end of the year.

Proposals to bidders under date of July 9, 1903, and similar to the first proposals, gave the information that the certificates would be dated September 1, 1903, and that bids would be opened in this Bureau in the presence of bidders on August 25, 1903, at which time it was found that the bid of Harvey Fisk & Sons, of New York, \$102.24 per \$100 for the entire issue, was the most advantageous, and the award was made accordingly. The Guaranty Trust Company, of New York, had previously agreed to give the same rate of interest on daily balances—3½ per cent—on the proceeds of this second sale.

Mr. HILL of Connecticut. I will ask the gentleman this question, whether he believes it is the function of government to take money from the people by taxation and then to loan it out to them at interest?

Mr. PRINCE. I do not.

Mr. HILL of Connecticut. Well, that is the fundamental principle of the whole thing.

Mr. PRINCE. But let me suggest to the gentleman that we have to-day one hundred and sixty-odd millions of dollars with which we can not pay the bonded indebtedness for some twenty-three or twenty-five years to come. We tried within the last year to purchase the face value of some sixteen millions of bonds and we had to pay for them something like twenty-two millions. In other words, we paid a premium of 37½ per cent.

Mr. HILL of Connecticut. I admit all that the gentleman says. I simply repeat again that it is not the function of the Government to take money from the people by taxation and loan it out at interest.

Mr. WILLIAMS of Mississippi. Is it the function of the Government to take the money away from the people and then give it to them, or, rather, lend it to capitalists without interest?

Mr. HILL of Connecticut. It is the function of government to collect money by taxation, for its expenses. The effect of your proposition, and of all of these kindred propositions, whether they are Republican or Democratic in source, will be to lower the standard until finally we will get back to where we were in the tale recited so efficiently some time ago by the gentleman from Illinois [Mr. BOUTELL], when the United States Government took its money and divided it up among the States pro rata.

Mr. WILLIAMS of Mississippi. Now, I want to ask the gentleman this question: The gentleman says it is not a part of the function of government to lend its money at interest on call.

Mr. HILL of Connecticut. Not to.

Mr. WILLIAMS of Mississippi. But he admits it is quite excusable to give its money away on call. Now, then, as I understand it—

Mr. HILL of Connecticut. Of course I do not admit anything of the kind.

Mr. WILLIAMS of Mississippi. The gentleman admits that the present system is quite excusable.

Mr. HILL of Connecticut. I admit that the present system is on a business basis, just exactly as the gentleman himself would take his surplus money and deposit it in a bank subject to his own check, and would not loan it out at interest.

Mr. WILLIAMS of Mississippi. Let me go ahead a moment further. I want to ask the gentleman if money deposited at interest on call is not just as much subject to the gentleman's

check, or, in this particular case, to the Government's check, as money given away on call or deposited without interest on call?

Mr. HILL of Connecticut. Perhaps so.

Mr. WILLIAMS of Mississippi. Are the deposits on call not subject to exactly the same power to check whenever you please, whether at interest or not?

Mr. HILL of Connecticut. Unquestionably, in theory.

Mr. WILLIAMS of Mississippi. Now, one further question. The Government has now, I believe, about \$150,000,000, in round numbers, deposited in the national banks.

Mr. HILL of Connecticut. One hundred and sixty-five million dollars, I believe.

Mr. WILLIAMS of Mississippi. Well, then, we are about to build a Panama canal; we can pay for it by checking upon those banks. Suppose the United States Government should to-morrow want to check out that \$165,000,000 all at once for some purpose. I ask the gentleman whether it would not produce a panic in this country?

Mr. HILL of Connecticut. I think it would; and that would be precisely the result which would be accomplished under the terms of the bill if you shifted those deposits once in three months to the highest bidder.

Mr. WILLIAMS of Mississippi. It being true, then, that if we should check for the whole of those deposits, now bearing no interest, it would produce a panic in this country, it must be true also that the Government can not practically check for that amount to-morrow if it is wise as a Government; it must be true also that it will not do so; and then it must be true also that this is a sort of permanent loan; and if it is, why should not the Government receive whatever rate of interest the money is worth to the parties who have the use of it and are using it?

And if that be true, why is it not Republican and Democratic doctrine that this way of doing business should not be confined to the national banks, or to banks of any sort for that matter, provided the man who borrows those deposits has absolutely self-sufficing and independent securities, putting it beyond the peradventure of doubt that he will pay the principal?

Mr. HILL of Connecticut. I thank the gentleman for that suggestion, for it only shows the downward course we would be pursuing if this policy should be followed by the Secretary of the Treasury and the Treasury should become a one-man bank to loan out the funds of the Government, he alone under the statutes being the judge of the collateral.

Mr. WILLIAMS of Mississippi. Now, will the gentlemen tell me a single evil about this system—and there are evils about it, I admit, evils necessary to extravagant government which overtaxes the people, because there ought not in a good government be any surplus at all, except a working margin, and that surplus ought to be in the subtreasuries of the Government—I am meeting a condition, not trying to establish a new order of things—will the gentleman point out a single evil that could come about from depositing this money on call in banks on interest that does not exist where you deposit that money on call in the banks without interest?

Mr. HILL of Connecticut. I have been trying to explain to the gentleman that under the present law, with Government security—and I am willing to take no other; I am willing to accept no other than Government bonds as security for Government money—it is impossible to do it, unless you concentrate all your deposits in a 2 per cent money market, and there is but one such in the United States—Wall street.

Mr. WILLIAMS of Mississippi. I do not wish to take too much of the gentleman's time. But the question I have asked and the question I should like the gentleman to answer is this: Under a system of keeping Government money outside the vaults of the Government, in banks, on interest, where could there be a single evil that would not also exist under a system of keeping the Government money outside the vaults of the Government, in banks, without interest?

Mr. HILL of Connecticut. I think the difference is in the method. As I said before, there is not a bank in the United States, even one with only \$25,000 capital, that is not required by the statutes to have a board of at least five directors to consult and advise with its president. Any man familiar with banking business knows that the most vicious thing in the whole banking system is what is called a "one-man bank"—where the president does the whole business, makes the loans and certifies them, without the advice of the board. The almost inevitable end of such practice is ruin.

Now, by this process of loaning out Government funds on promiscuous securities, you are making the Treasury of the United States a one-man bank, with the largest fund of any bank in the world, to be loaned out on promiscuous security at the discretion of one man. I say it is absolutely vicious. Rather than adopt

such a system I would abandon any interest for a century; and no man can deny the correctness of this principle.

Mr. WILLIAMS of Mississippi. One other question. How is the present system of leaving it to the discretion of the Secretary of the Treasury to select the banks to serve as Government depositories, without interest, to be any less a "one-man" banking scheme than a system which would leave him to select—not in his discretion, but according to their bids—the persons or institutions who should receive these deposits on interest?

Mr. HILL of Connecticut. Why, simply for this reason that Congress has prescribed the security and that it shall be Government bonds.

Mr. WILLIAMS of Mississippi. But this bill does not change the security now provided by law. On the contrary, it leaves the security just as it is to-day.

Mr. HILL of Connecticut. I admit it; but I have tried to tell the gentleman a half a dozen times that it is financially impossible to bring about the result that he expects, for the result of his bill with the present system of security maintained—

Mr. WILLIAMS of Mississippi. That is another question.

Mr. HILL of Connecticut (continuing). Would be to strip the whole country of the deposits and would not result as he expects it would, because—

Mr. WILLIAMS of Mississippi. The gentleman disagrees with me there, but that is another question. That is not what I am on now. The thing I am on now is, will you tell the House now, if the Secretary of the Treasury had to dispose of the deposits in banks under a law requiring him to give the deposits to the banks which with equal security—being the security now required by law—should bid the highest interest, why that would be any more open to the charge of being a one-man-bank scheme than the present system, whereby the Secretary of the Treasury, without any guiding law, within his own discretion, selects banks wherever he chooses and leaves the money without interest?

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. HILL of Connecticut. I understood I had forty-five minutes.

The CHAIRMAN. There are only five minutes remaining to that side of the House, and the gentleman from Indiana [Mr. HEMENWAY] said he wanted five minutes.

Mr. LIVINGSTON. How much time has this side of the House?

The CHAIRMAN. That side of the House has fifty-nine minutes.

Mr. HILL of Connecticut. Do I understand that I have the courtesy of the gentleman to proceed? Do I have any more time?

The CHAIRMAN. Not on the Republican side.

Mr. LIVINGSTON. I ask unanimous consent that the gentleman be allowed ten minutes.

The CHAIRMAN. The House by unanimous consent has fixed the time at which this debate is to close.

Mr. HILL of Connecticut. Mr. Chairman, I will pursue this line at some other time. There are some few things in regard to it that I would like to bring to the attention of the House, but I will take advantage of some other occasion.

Mr. HEMENWAY. I have but five minutes remaining, and I yield that to the gentleman from Vermont [Mr. HASKINS].

Mr. HITT. Will the gentleman move that the committee rise for a moment?

On motion of Mr. HEMENWAY, the committee rose; and the Speaker having resumed the chair, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10954, the urgent deficiency bill, and had come to no resolution thereon.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HITT, from the Committee on Foreign Affairs, reported a bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905; which was read a first and second time, and, with the accompanying report, ordered to be printed and referred to the Committee of the Whole House on the state of the Union.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I desire to reserve all points of order on the bill.

The SPEAKER. All points of order are reserved.

URGENT DEFICIENCY APPROPRIATION BILL.

On motion of Mr. HEMENWAY, the House again resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency appropriation bill, with Mr. TAWNEY in the chair.

Mr. HEMENWAY. I yield five minutes to the gentleman from Vermont [Mr. HASKINS].

Mr. HASKINS. Mr. Chairman, owing to the fact that yesterday I was engaged in committee I was not present during the

remarks of the gentleman from Georgia [Mr. HARDWICK]. This morning, however, my attention was called to what he stated with reference to the constitution and laws of Vermont touching the question of suffrage. I read from his remarks:

I respectfully invite the attention of the distinguished gentleman and of the Union League Club to the constitution and laws of the State of Vermont, by which citizens who are of quiet and peaceable behavior, and who have the approbation of the board of civil authorities, shall alone be permitted to vote; the most far-reaching provision that was ever adopted in any State, North or South.

Mr. Chairman, the original constitution of the State of Vermont was adopted in 1777. Its framework was the constitution of Pennsylvania of 1776. However, in this particular they did not agree. Pennsylvania placed her suffrage provisions upon taxpaying; Vermont based her suffrage upon manhood only, supplemented by an oath, which we designate as the "freeman's oath," which is taken by the "first voter." Now, that there may be no misunderstanding or misapprehension hereafter as to the constitution and laws of Vermont, I desire to have them incorporated in the RECORD. They are very brief. I read first from the "Declaration of rights of the inhabitants of the State of Vermont," chapter 1:

ART. 8. That all elections ought to be free and without corruption, and that all freemen, having a sufficient, evident common interest with, and attachment to, the community have a right to elect officers, and be elected into office, agreeably to the regulations made in this constitution.

I now read the plan or frame of government, chapter 2, section 21: and this was the provision of 1777:

SEC. 21. Every man of the full age of 21 years, having resided in this State for the space of one whole year next before the election of Representative, and is of a quiet and peaceable behavior and will take the following oath or affirmation, shall be entitled to all the privileges of a freeman of this State.

Then follows the freeman's oath:

You solemnly swear (or affirm) that whenever you give your vote or suffrage touching any matter that concerns the State of Vermont you will do it so as in your conscience you shall judge will most conduce to the best good of the same, as established by the constitution, without fear or favor of any man.

Then comes section 42:

SEC. 42. The declaration of the political rights and privileges of the inhabitants of this State is hereby declared to be a part of the constitution of this Commonwealth and ought not to be violated on any pretense whatsoever.

These are the provisions only in the constitution. I now read from the law, the statute of Vermont, fixing the rights and the qualifications of voters:

SEC. 60. Citizens of the United States and persons who have become citizens of this State by virtue of the constitution or laws are, while residing in the State, citizens thereof.

SEC. 61. Every male citizen, 21 years of age or more, having resided in the State one year next preceding a general election, shall have a right to vote at such election for the officers to be elected thereat in the town where he resides on the day of the election. But he shall not vote for town representative or justices of the peace at such election unless he resided during the three months next preceding the election in the town in which is his residence on the day of the election.

Now, the election officers under our law are the justices of the peace and the selectmen and the town clerks of the several towns, and in the cities they are the mayor and aldermen and justices of the peace. Our town officers are elected annually; our justices of the peace are elected biennially. The question as to a man's politics, to be elected a justice of the peace or a selectman, never enters into the election at all.

Now, so far as the approbation of the board of civil authority to a claimed voter taking the freeman's oath is concerned, the inquiry is simply confined to the question of citizenship, residence, and age. The provision of the statute in this respect is to guard against fraudulent registration and voting by persons who have never taken the freeman's oath, and who are known as "first voters."

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. I yield one minute to the gentleman from Georgia to read the Vermont law.

Mr. HARDWICK. Section 66 of the Vermont law, code of 1894, reads:

No person shall be admitted to take the freeman's oath or to vote at an election until he has obtained the approbation of the board of civil authority of the town in which he resides.

Exactly what I stated yesterday. [Loud applause on the Democratic side.]

Mr. HASKINS. If the gentleman will allow me—

Mr. WILLIAMS of Mississippi. He has only a minute, and that has expired.

Mr. HASKINS. He has only occupied half a minute.

Mr. HARDWICK. I am willing.

Mr. WILLIAMS of Mississippi. His minute has expired, and if it has not, we must go on.

Mr. HEMENWAY. I think in view of the fact—

The CHAIRMAN. The minute has not expired. [Laughter.]

Mr. HASKINS. For forty years I have been one of the election officers in my town, and I never heard the question as to a man's

politics or as to his good behavior raised whenever he had offered to register or to present his vote.

Mr. HARDWICK. I have made a statement about the law and not about the practice.

Mr. HASKINS. That is the practice.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I will not have time nor do I desire to reply to the gentleman from Connecticut in extenso. After I shall have used five minutes, please "call me down." Now, Mr. Chairman, that the gentleman from Connecticut does not understand the difference between the word "and" and the word "or" in the construction of a statute is totally beyond my comprehension.

Mr. HILL of Connecticut. That may be.

Mr. WILLIAMS of Mississippi. Now, what would the difference be as to these words when put in this statute: "The Secretary of the Treasury shall require the associations thus designated to give satisfactory security by the deposit of United States bonds 'and' otherwise?" It means, with the word "and" there, that in part the security has got to be in United States bonds, and with that out, and if the statute should read, with the "security by the deposit of United States bonds 'or' otherwise," that would mean that no part of it would be required to be in bonds of the United States.

Mr. HILL of Connecticut. Could it be all United States bonds; under your construction of the language could it be United States bonds?

Mr. WILLIAMS of Mississippi. It could be all or part, either one; it could not possibly be all of anything else and no United States bonds. Now, Mr. Chairman, the gentleman has attempted laboriously to prove, through some arrangement of figures which I could not follow in my head, that in a country where money lends for 8 per cent the people could not afford to bid as much for United States deposits as in a country where money loans for 3 per cent—

Mr. HILL of Connecticut. Will the gentleman allow me—

Mr. WILLIAMS of Mississippi. My five minutes will not allow me to yield. And the only thing I caught when you were explaining it was this, that you said that a man would have to sacrifice 8 per cent money in the purchase of United States bonds, but you forgot that after the man had sacrificed 8 per cent money in the purchase of United States bonds upon which he would draw 2 or 3 per cent, then he would begin to use the money, and use it in an 8 per cent money market.

Mr. HILL of Connecticut. Certainly, I agree with you.

Mr. WILLIAMS of Mississippi (continuing). And that is absolutely what the gentleman did not mention, or at least failed to mention—

Mr. HILL of Connecticut. Will the gentleman yield—

Mr. WILLIAMS of Mississippi. No, I can not. Now, the gentleman says that I would have a "public auction" take place "once in three months" for people to bid for United States deposits. Well, under the present system, you have a public auction "once in three months" for people to bid to the Secretary of the Treasury to be given United States deposits, because I have quoted in the bill the language of the present statute when I say that "it is hereby made the duty of the Secretary of the Treasury on the 1st day of July, on the 1st day of October, on the 1st day of January, and on the 1st day of April of each year" to do certain things, namely, to deposit the money on interest in a certain manner.

The present law is that it shall be deposited at those times in the discretion of the Secretary of the Treasury with a perfect right to select his personal or political friends, if he chooses to do it, all over this broad country, and to give that immense amount of money which they could use in either a 4 per cent or a 6 per cent or an 8 per cent market without their paying a cent. The word "auction" means nothing; the law now simply gives an "auction" once in three months under the present system without anybody having to pay anything except compliments, flattery, good graces, and perhaps promises to the powers that be, whereas under my system they would have to pay some cash.

The gentleman forgets when he makes that comparison, too, that under the ruling of the Secretary of the Treasury, where he calmly wiped out the word "and" and puts in the word "or," that the security would not have to be confined to United States bonds any more than now. The bill provides that the security given shall be the same security as is now required by law, and of course it is subject to the same regulations and construction under the present Administration.

Mr. HILL of Connecticut. Will the gentleman pardon just a word? That rule that provided there should be a margin of 25 per cent puts the financial transaction on the same basis as Government 2 per cent bonds, and consequently makes my mathematical calculations exactly correct.

Mr. WILLIAMS of Mississippi. Mr. Chairman, the mathematics which can convince me that a man who can use money at 8

per cent can not pay as much to get money as the man who can not use it at over 3 per cent will never be discovered. The mathematics can not be found that can convince me of that proposition. Now, Mr. Chairman, United States banks throughout this country deposit their reserve up in New York banks and the New York banks pay 2 per cent for it. Why can not the United States Government be paid 2 per cent?

Now, I am a good-natured fellow, and instead of making that a public bid and giving it to the highest bidder, I think it would be an improvement over the present plan if you would require them to pay, say, 2 per cent, and make it fixed. But let the Government cease gratuitously to favor certain banks over others. To put out to highest bidder among banks, State and national, first furnishing absolutely self-sufficing security for repayment, would be better. Why? Because that would carry the money to those parts of the country which need it most for productive enterprises and home development, and not to the great centers where small interest prevails and where it is used chiefly for speculative purposes on 'change.

Now, Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. WILEY].

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HEPBURN having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills and joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

- S. 431. An act for the relief of W. J. Kountz;
- S. 372. An act authorizing the recorder of the General Land Office to issue certified copies of patents, records, books, and papers;
- S. 250. An act granting to the State of Idaho 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Idaho State Soldiers and Sailors' Home;
- S. 146. An act for the relief of Leonard L. Deitrick;
- S. 126. An act for the relief of Rudolf Herbst;
- S. 122. An act authorizing the Secretary of the Interior to restore to public entry lands embraced in whole or in part within segregations for reservoirs;
- S. 61. An act for the relief of M. E. Saville;
- S. 56. An act for the relief of the legal representatives of Napoleon B. Giddings;
- S. 619. An act making an appropriation for completing the construction of the road to the national cemetery near Pensacola, Fla.;
- S. 468. An act for the relief of the widow and children of the late Joseph W. Etheridge and the widow of the late John M. Richardson;
- S. R. 21. Joint resolution authorizing the purchase of a marble bust of General Lafayette, executed by David d'Angers;
- S. R. 20. Joint resolution authorizing the selection of a site and the erection of a pedestal for a bronze statue in Washington, D. C., in honor of the late Henry Wadsworth Longfellow;
- S. 2697. An act to amend an act authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pa., to commemorate the valorous deeds of certain regiments and batteries of the United States Army;
- S. 2696. An act authorizing and directing the Secretary of the Treasury to pay John F. Weston the sum of \$241.60, and so forth;
- S. 2692. An act to establish a life-saving station at Nome, Alaska;
- S. 2465. An act to revive and amend an act entitled "An act to authorize the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala.;"
- S. 2262. An act to provide for the removal or destruction of derelicts;
- S. 2114. An act to fix the rank of certain officers in the Army;
- S. 1741. An act for the relief of the county of White Pine, State of Nevada;
- S. 1634. An act for the erection of a statue to the memory of Gen. James Miller at Peterboro, N. H.;
- S. 921. An act granting to the State of Wyoming 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home;
- S. 903. An act providing for the purchase of metal and the coinage of minor coins, and the distribution and redemption of said coins; and
- S. 792. An act to aid in the erection of a monument or memorial at Point Pleasant, W. Va., to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians, October 10, 1774.

URGENT DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. WILEY of Alabama. Mr. Chairman, at an early day of the present session I had the honor to introduce into this House a bill (H. R. 10429) for the erection of a monument, in the city of

Washington, to the memory of Jeremiah O'Brien, upon which shall be inscribed the words:

Erected to the memory of
The heroic Irish-American,
Jeremiah O'Brien,
Who captured and sank
In the first sea fight of
The Revolutionary War
The British schooner *Margaretta*.

Commodore John Barry has justly been characterized as the father of the American Navy. I am pleased to be advised that a similar bill has already been introduced in this House, authorizing the erection of a monument, at our beautiful national capital, to keep fresh in our remembrances the illustrious services he rendered his country, both in peace and in war, and to make luminous and glorious the growth and development of the American Navy, in the rapid march of the most marvelous century that ever chronicled the brilliant achievements of the human race. All honor to his memory!

But while we are rendering a just tribute to the man whose genius and brains created our Navy, let us not forget to do honor to another patriot, Jeremiah O'Brien, who fought the first naval battle in our contest for freedom and struggle for independence from the British Crown, nor fail to perpetuate the virtues and the valor of the thirty-five brave, free, and independent men who, under his leadership, did a deed so grand and enduring as to excite the wonder and challenge the admiration of the civilized world. History does not record the name of a hero who has excelled in dauntless courage and in unconquerable patriotism the immortal Irish-American sailor of whom I speak.

These intrepid men from sawmill and shipyard have glorified our nation's flag and ornamented the brightest page of the annals in which are inscribed the brilliant events that have transpired during the past one hundred years in this "Union of our fathers and sires." The white angel of peace has descended upon the village of Machias, in the State of Maine, and now abides within her gates. But not so in the memorable month of May, 1775. Then the tocsin of war was heard on her streets and excitement ran high in every household. A wondrous change has come over the spirits of her inhabitants and hangs above the face of the mighty waters. The sweet flowers of hope and faith are climbing and blooming over the ruined and deserted cannon, which once belched forth the fires of carnage and death in the first sea fight of the Revolutionary war.

The story runs like this:

The news of the battle of Lexington reached Machias early one Sunday morning. It was the 10th of May, 1775, and just then there was an armed Government schooner in front of the town waiting to convoy a couple of lumber-loaded sloops to Halifax.

The young men of the little village, fired by the story of the deeds of their kinsmen, gathered and plotted to lend their mite to the cause; but what could be done? The guns of the schooner covered the town; there were other guns in the little old blockhouse, and there were a few muskets; but the village authorities were Tories, and all the gunpowder was locked fast in the magazine beyond their reach. There was powder in Jonesboro, 10 miles away; but no man dared go to get it for fear of being missed.

And so it happened that Mary Chandler, a young girl of 17, slipped quietly from the little meetinghouse during the sermon, walked over the rough trail to Jonesboro, and that night carried on her shoulders 25 pounds of powder back through the woods to Machias.

This blockading craft was His Majesty's schooner *Margaretta*, manned with a crew recruited from the hardy seafarers of Nova Scotia, and full of the brawn and muscle and grit which had contributed so essentially to make true the boast, "Britannia rules the waves."

When the shadows of evening came down upon both land and sea the commander of the *Margaretta*, as a precautionary measure and in order to guard against a possible covert attack at night, moved the schooner down the river to the bay a few miles away, where he thought he would be in a safe position to hold the rebellious village in his relentless grip; but no sooner was he out of sight than Jeremiah O'Brien, himself a lumberman, a gentleman of judgment and discretion, of cool nerve and indomitable will, "born to command," organized at once for offensive warfare.

His force consisted of thirty-five picked men, selected from among the shipbuilders and sailors of Machias. Full of mettle and ardor, young in years, keen of eye, strong of limb, and compact of body; brave and generous, every soul of them, with the health of salt air in their cheeks and the love of country in their hearts; "disdaining fortune," buoyant in hope, and proud in their own self-esteem; each a veritable Hotspur, putting on the "dauntless spirit of resolution," impatient of wrong and weary of oppression; daring to do all that mortal man could do to redress their grievances, this Spartan band, under the skillful generalship of the gallant O'Brien, rushed, as it were, from the very

summit of the mount of defiance and quickly seized and unloaded one of the lumber-laden sloops and equipped her for battle, arming her with the old guns dragged from the blockhouse, and stowing away in her hull the powder which Mary Chandler had brought to them through the mazes of a thick forest.

Sailing into the bay as the rays of the early morning light gilded the eastern sky, "dire was the clang" as the two crafts ranged alongside one another and exchanged dreadful broadside shots. Soon the schooner's foresail rattled to the deck and all was over with her, for closing in upon her and holding her fast, Jeremiah O'Brien, at the head of his thirty-five "Down Easters," boarded, captured, and sank her. Thus we perceive that this insignificant little sloop was the babe which has grown into the full proportions of the white fleet of our superb Navy. The splendid courage which O'Brien and his men, true and tried, exhibited on this memorable occasion gave our Navy, strange to relate, its first start. It is now the magnificent arm of the greatest Government the world ever saw—a navy power, invincible upon all the navigable waters of the globe, engaged everywhere and at all times in the laudable endeavor to protect our citizens at home and abroad, to conserve the public peace, to defend popular rights and preserve constitutional liberty.

There is something that irresistibly touches our noblest sensibilities in the heroism of duty fearlessly performed—a heroism which is willing to sacrifice self in a righteous cause, even though the atonement can not make it victorious. In this instance, success crowned the efforts of our hero, Jeremiah O'Brien. He counted it a crime "no tear could ere efface, to purchase safety with compliance base." He was

In his honor impregnable,
In his simplicity sublime.

In him was truth and nobleness—man's fidelity with woman's tenderness. He was tried in the furnace and proved true. He was "weighed in the balance" and not found wanting. He has been "declared sterling by the general consent of mankind."

If there be one country upon the map of nations which challenges our sympathy more than all the rest that country is Ireland. This lovely island, rising from the bosom of her own beautiful waters, staggering under a governmental policy which brought poverty and gloom to the people, was for many long and dreary years neither cheered by the songs of her native bards nor stirred by the eloquence of her impassioned orators. The blighting hand of English tyranny had laid her low, stripped her of her verdure, and she stood forth like a lone waste in a flowery land, but, thank God, the daybreak of the sun of freedom from oppression, of liberty of thought, of speech, and of religious and political action for the downtrodden children of Erin is beginning to appear in the east and to flood with light of gold the earth and skies and seas.

Prosperity is at last coming to their homes. "A hewer of wood and a drawer of water" on his own soil, the Irishman, under every sun and in every clime, outside of his own country, whenever and wherever the door of hope and opportunity has not been closed against him, has demonstrated a genius for work and a patience in the conquest of details, a loyalty to principle, a devotion to truth and love of country which have forged him to the very forefront in every profession, vocation, occupation, and calling in life.

Jeremiah O'Brien was an Irishman by birth, but an American by adoption.

The Irish-American citizen, what shall I say of him? Loyal to the "old flag" and faithful to the country of his adoption, true to his friends, generous in nature, magnanimous in disposition, liberal in his views, and public spirited always, he is not only preeminently qualified for self-governing citizenship, but frequently sets us an example of industry, economy, and morality, the influence of which is felt as a potential factor in the intelligence, thrift, and law-abiding qualities which characterize the communities in which he lives.

With loving impulse we gladly spend large sums of money from year to year out of a national fund raised by common taxation to protect and beautify the graves of those who died in defense of the Union. We make liberal appropriations in order to mark by some enduring structure the particular spots where Federal soldiers and sailors fought and fell for their country's sake.

We are wont to erect monuments to those whose careers have illustrated courage, fortitude, patriotism, self-sacrifice, and fidelity to principle; to those who have become renowned in the public service; to those who have been benefactors to the human race; to those whose endeavors in the arts and sciences, letters and learning have exalted them among the nations of the earth. We have built magnificent cemeteries at Vicksburg, Chattanooga, Gettysburg, Nashville, Murfreesboro, Culpeper Court House, Manassas, Arlington, Winchester, and on a score of other fields. These silent cities of the dead are surrounded by costly stone fences, adorned with trees and parks, and everywhere ornamented

with headstones of marble or monuments of granite to point out the last resting places or to mark the green graves of those who "died on the perilous edge of battle."

Washington is a city of monuments; and it is meet that these memorials should arrest our gaze in every park and common, on every street, along every highway, and in every public ground of the nation's capital. Father Ryan expressed words as sweet as celestial fruits or the breath of flowers from Paradise when he penned these radiant lines:

Yes, give me the land of the wreck and the tomb;
There's grandeur in graves, there's glory in gloom;
For out of the gloom future brightness is born,
As after the night looms the sunrise of morn.

But it may be asked, Why should I from the far South feel such an interest in a New England patriot as to be prompted to introduce a measure in this Chamber looking to the erection of a monument to his memory? The answer is easy. The only real liberator is Truth, and she makes none free save those who strive to break their own fetters.

Heroism derives its courage from the motive which prompts men to display courage and fortitude. "Know ye the truth; for the truth will make ye free." The fratricidal war between the two sections of our common country is over. Our swords have been broken into plowshares and our spears into pruning hooks. The North and the South alike will hold their dead in tender memory forever. The South is proud of the men who wore the gray, charging up the frowning heights of Gettysburg, on Look-out Mountain, on the banks of the Potomac, in the gloom of the Wilderness, on the fiery trail from Dalton to Atlanta, on the rolling Rappahannock, on the red hills of Georgia, and in the valleys of Virginia and Tennessee. The North very justly feels a like pride in the fortitude and valor of the men who wore the blue. On every battle plain, from the mountains to the sea, monuments more enduring than brass have been erected to preserve the fame and to tell posterity the glorious deeds of her patriotic dead. Lee and Grant, Jackson and Thomas, Stuart and Hancock, on both sides generals of unblemished character, belong to no section, but to the whole country. They "are immortal names that were not born to die," and their fame is the common heritage of us all.

The surviving veterans of the South returned to their homes to begin anew the battle of life. They understood the situation, and accepted it in good faith; and majestic as they were in war, they were grander and more glorious still in the busy pursuits of peace. We are loyal citizens of the nation. From the past we have derived wisdom and drawn inspiration. By the Constitution, as it now is, we intend to stand. Let that book of the organic law be read by the people never too often, as the book of the laws of Moses was brought forth and explained to the children of Israel in Jerusalem near the shrines of their ancient altars.

The adversities of the South have stirred her manhood, stimulated her energies, and prepared her to work out for herself and posterity a far greater and more fruitful progress than she ever attained when the tide of her fortune ran at its flood. Her stricken fields have ripened once more and her gardens are sending out the fragrance of their flowers. "The violets still bloom in the depths of her valleys," while the stars sit, each upon his "ruby throne," and watch with sleepless eye a golden land of beauty and sunshine, from which even in the disruption of southern institutions the old romance has never departed.

We are banded together, as never before, in the common bonds of union, loyalty, fraternal love, and civil liberty. Sectional lines have been obliterated. After a third of a century of peace and prosperity we are all kneeling side by side at the altar of a reunited faith. We have but one flag in the skies. The melodious tunes of Dixie and Yankee Doodle have blended together into one national air.

The dagger of Spain was unsheathed. Innocence, helpless age, and infirmity were falling beneath its perfidious blows. In the midst of the fires of the *Maine* the heavens cried aloud for vengeance. The men and the sons of the men who had faced each other under two flags in battle's stern array now felt the elbow touch, fighting as brothers under "the Stars and Stripes" to free a new world from the barbarity of a merciless despotism. Wearing the same uniform, whether on land or sea, Lawton and Wheeler, Dewey and Schley, Bagley and Capron, now living and dead, under the folds of "Old Glory" fought for God and humanity. They have emblazoned their names upon the loftiest entablatures in the temple of fame. They will live forever in song and story, and add luster to the glory of the nation which gave them birth.

Let us build the monument which the bill under consideration provides for. It will commemorate the glory achieved by American valor and do honor to one "whose remembrance will, to ears and tongues, be theme and hearing ever." [Applause.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, I now yield thirty minutes to the gentleman from New York [Mr. RIDER].

Mr. RIDER. Mr. Chairman, since the beginning of this session of Congress, to the delight and entertainment of its Members, we have heard discussions concerning Canadian reciprocity, good roads, currency, the tariff, the race question, and, indeed, a résumé of the civil war by one of the distinguished Members on the other side has been offered for our consideration and edification. The Republican Members have put forth the claim that the present prosperity of these United States is due solely and entirely to the Dingley tariff, and the more deeply religious Members on the Democratic side have had the temerity to say that Almighty God had something to do with the present prosperous condition of this great land of ours. [Laughter.]

Now, Mr. Chairman, I desire to say a few words in relation to the construction of the canals of this country.

While there has been much discussion concerning the violation of the treaty rights, the amity of nations, the policy of the Government, and international law concerning the recognition of the new Republic of Panama, it is nevertheless true that the recognition of this Republic has brought us to a point where we can realize the hope and ambition of the United States for many years and unite the East and the West as they have never been united before. The canal is now an assured fact, and will be constructed along the route already selected by Congress. It is too late to discuss the practicability or feasibility of any other route. The present Administration may be subjected to severe criticism in recognizing the new Republic of Panama. But to him who rises above all partisan ties and looks to the welfare and benefit of this great nation it is, "My country—may she ever be right; but right or wrong, my country!"

For four hundred years men have dreamed of piercing this wall, thus saving one-third the distance in circumnavigating the globe. It was in 1551 that the Spanish historian, Gomara, urged on Philip II the importance of piercing this Isthmus, and two hundred years ago one of the most celebrated freebooters said: "The spoils of Granada I count for naught beside the knowledge of the great Lake Nicaragua and the route between the north and south seas, which depend upon it." In 1805 Nelson attempted to gain possession of this route by aid of a land force, but was prevented by the power of the Spanish. At the time that the question was discussed of the cession of Louisiana to the United States by France Decrès replied to Napoleon that "if the Isthmus of Panama is cut through some day it will occasion an immense revolution in navigation, so that a voyage around the world will be easier than the longest cruise to-day. Louisiana will be on the line of this new route, and its possession will be of inestimable value. Don't give it up."

The subject of this interoceanic canal is of world-wide importance. Many nations have interested themselves in it; many men have given themselves to the study of it; many volumes have been written on it; many lives have been sacrificed to it, and many millions of gold have been spent on it. Over no portion of the earth's surface has the engineer's level been so repeatedly run, and now what ages have waited for the new century is about to witness. What the genius of Columbus failed to find that of modern science is about to create. It is beyond the range of possibilities to follow the important results—geographical, commercial, and political—from this New-World condition. The cutting of the new isthmian canal will be the most important event since the discovery of Australasia, and will reduce the size of the earth at the equator by one-third. No other ship canal ever constructed—not even the Suez—can compare with it in economy in sailing distances.

From London to Canton the Suez saves 3,300 miles, and to Bombay 4,325 miles, while the Panama Canal will save from 5,000 to 6,000 miles for most ships sailing through it; between London and San Francisco it saves nearly 7,200 miles; between New York and San Francisco, 10,080 miles. President Hayes said: "An interoceanic canal will essentially change the geographical relation between the Atlantic and Pacific coasts of the United States, and between the United States and the rest of the world." This canal will project the Pacific coast into the heart of the continent and make it possible to steam from Pittsburg to Hongkong and from Omaha to Sydney. The Mississippi Valley, with its 1,244,000 square miles of area, is considerably larger than the whole of central Europe. On account of its magnitude, its inexhaustible fertility, its great variety of production, the energy of its people, its 5,000 miles of waterways navigable for steamers, and southerly flow of its great artery, it is commercially and politically the most important valley in the world, and its connection with the most important ocean of the future is a great geographical change of the first importance. Seagoing vessels will soon be passing from Chicago and Duluth down the Mississippi to the Pacific.

In 1825 Henry Clay, then Secretary of State, said: "The execution of this work will form a great epoch of the affairs of the whole world." From New York to San Francisco by way of Cape Horn it is 14,840 miles; by way of the Panama Canal it will

be only 4,760 miles, a saving of over 10,000 miles and over fifty days' time by freight steamers between those two points, with a corresponding economy to other points on the two coasts. Where two-thirds of the time and distance is saved, there is a corresponding saving of value of repairs, insurance on vessels and cargo, of interest on investment, wages and provisions, and also a two-third cost in saving of transportation; but its saving to existing commerce is by no means all. It will create a vast amount of new commerce. It is impossible, commercially speaking, to transport freight of any sort beyond a point where the cost of transportation exceeds the value of the cargo to a point where it is brought.

ARTICLES OF COMMERCE.

The canal, therefore, by reducing the distance increases the number of articles of commerce. The exports from the Pacific coast are for the most part raw material and will not bear long carriage—for example, lumber, in which the far Northwest is so rich, and the supply of the Eastern States being practically exhausted. Cuba has attempted to import Pacific coast lumber, but found it too expensive. As soon as the canal is cut lumber for building purposes will become an exceedingly important article of commerce between the two coasts. It is estimated by lumbermen that the opening of the canal will add \$3 to every thousand feet of lumber standing around Puget Sound. The forests of Washington alone contain 175,000,000,000 feet of uncut yellow and red fir.

LUMBER.

The estimate referred to being a reasonable one, the value of the forests of Washington alone will be enhanced about \$350,000,000. The supply in Oregon, British Columbia, and Alaska is much greater. W. H. Seward said of this region: "It seems destined to become a shipyard of supply for all nations."

WHEAT.

When the limit for transportation of wheat from the Pacific coast is reduced twenty-five days' steaming, it will become a mercantile transaction with daily assured profits. At the present time, with a voyage of four or five months around the Horn, taken in relation as to the possible rise and fall of prices which make trade, it is as much a gamble as any hazardous game of chance. Distances on the Pacific coast around Cape Horn are somewhat greater to New York than to Liverpool, and the rich trader of the west coast of Central and South America chiefly goes to Great Britain and Germany, but with the opening of the isthmian canal all this will be changed. The distance will be then from twenty-seven hundred to thirty-five hundred miles in favor of New York, which, with our facilities for manufacture, will give us the market of that coast.

Distances via the Panama Canal.

From—	To New York.	To Liverpool.
	Miles.	Miles.
San Francisco.....	4,760	7,508
Acapulco.....	3,122	5,870
Mazatlan.....	3,682	6,432
Guayaquil.....	2,340	5,890
Callao.....	3,713	6,461
Valparaiso.....	4,700	7,448

THE SOUTHERN STATES.

The Southern States will have a much greater advantage, as New Orleans is 713 miles nearer than New York to the canal, and the almost inexhaustible coal mines of Alabama, so easily worked, can be landed on shipboard at Mobile at \$1.25 a ton.

COAL.

Attention is called to the fact that there is but very little coal, and that of inferior quality, on the Pacific coast, and steamers passing through this canal will require 2,000,000 tons per annum, and that will be furnished by Alabama.

PIG IRON.

In Alabama and Tennessee pig iron is produced more cheaply than anywhere else, and in all the markets of the Pacific iron will be in increasing demand for many years to come.

COTTON.

Japan, the greatest manufacturing nation in the Far East, imported some \$55,000,000 worth of raw cotton during the past year, and in the same year China imported cotton goods valued at \$80,000,000. When the canal is cut ocean steamships can load cotton at the river and gulf docks and sail direct to the Orient, which will enable us to successfully compete with Indian cotton.

FOOD.

Statistics show that with 5 per cent of the world's population we produce 32 per cent of the world's food. The Mississippi Valley is our great granary, and the new waterway will connect it with more than half the population of the globe. Thus the Panama Canal will give the Pacific coast access to the European mar-

kets, and our Atlantic and Gulf coasts access to the Asiatic markets. New York is 150 miles farther than Liverpool from Cape Horn. This fact, of course, makes Liverpool 150 miles nearer than New York to all the ports on the eastern shore of the Pacific. Liverpool is as much nearer to all points on the west Pacific coast as Liverpool is nearer than New York to Gibraltar, which is about 2,000 miles; that is to say, that the Pacific, commercially speaking, is now an English ocean. The effect of cutting through the Panama Canal will be to bring New York 2,748 miles nearer than Liverpool to its eastern entrance.

The advantage to the commerce of New York City via the Panama Canal over that of Liverpool via the Suez Canal is best illustrated by the following table of distances:

From—	To New York.	To Liverpool.
	Miles.	Miles.
Shanghai.....	10,212	10,330
Yokohama.....	9,227	11,030
Manila.....	10,632	11,534
Honolulu.....	6,417	9,167
Auckland.....	8,432	11,212
Melbourne.....	10,000	11,000

The Panama Canal is the gateway to the Pacific, and opens upon 500,000,000 of people, whose imports last year were approximately one billion and a half of dollars. The commerce of the Pacific will increase indefinitely and the United States will command a greater part of it.

The Hon. Archibald Colquhoun, an engineer and traveler, in speaking of the canal wrote that—

It will render greater service to the New World than the Suez does to the Old, it will bring Japan, north China, Australasia, and a part of Malaysia nearer to the Atlantic cities of the United States than they are now to England. It will give an immense impulse to the United States manufacturers, especially cotton and iron, and will greatly stimulate the shipbuilding industry and develop the naval power of the United States. Finally, I believe it will, taken in connection with the vast changes occurring in the Far East, bring about the most severe rivalry to the commercial supremacy of England which she has ever yet encountered.

Our entrance into competition for the world's markets, access to those markets, makes it imperative that this canal should be completed in the earliest possible time. With the United States, washed by two great oceans, directly connected by this waterway, the nation will be midway between the markets of the world.

POLITICAL BEARING.

The political effect, obvious of the construction of this canal, will be in uniting our coast lines and bringing the most remote portions of our territory into closer relations. Mr. Colquhoun says:

It will bind together the remote sections of that country, assimilate its diverse interests, and go far toward solving many difficult problems and make the United States still more united.

President Hayes said in one of his messages:

"A part of the coast line of the United States," and a portion in which we shall be vitally concerned. The United States Government ought to control and protect it. The canal must be ours, and we must have a navy strong enough to protect it. By closing it, a foreign power with a single blow would cleave our two coasts 10,000 miles asunder.

In the utilization of the mobile defenses of the United States—

Says Commodore George W. Melville, of the Navy—

there is no waterway which approaches the isthmian canal. Without it the fleet of one coast is unavailable to the other; with it every naval gun may be turned upon the foe, whether he shall come from the east or the west.

The building of this canal will bring the western coast of South America, which has for a long time seemed very much out of the world, into closer relation with the eastern coast of North America. The principal ports on the western coast of South America will be from sixteen hundred to seventeen hundred miles nearer to New York than San Francisco. These regions of South America have rich undeveloped natural resources and a sparse population, but they will be brought by the canal into close relation with the richest and most densely populated portions of the United States. A large part of the superfluous and rapidly increasing capital of the latter country will find opportunity there. The isthmian canal will give to the West Indies a commercial importance which will involve great political consequences. For hundreds of years these islands were a source of the tropical products, and during the Napoleonic wars furnished Great Britain with one-half of her commerce; but misrule, vicious and tyrannical, and other causes have paralyzed their industries and depleted their commerce, until now it is insignificant. The canal will focus the commerce of the world in the Caribbean Sea. Toward it flow three great rivers, the Hudson, the Mississippi, and the Amazon, and as tributaries to the canal they will pour their commerce through this sea, whose islands will become ports of call.

Capt. A. T. Mahan says:

In the cluster of island fortresses of the Caribbean is one of the great nerve centers of the whole body of European civilization; and I refer to the archipelago as the very domains of the sea power, if ever a region could be called so.

He continues:

Control of a maritime region is insured primarily by a navy, secondly by positions, suitably chosen and spaced one from another, upon which one the navy rests and from which it can exert its strength.

It is important, therefore, in this respect that we should consider the extension of our possessions in the Caribbean Sea, provided they come to us by righteous means. If through an expression of the majority of the people of Cuba that the island should come to be a part of our nation in the future in its relation to the construction of the canal, it will prove of incalculable benefit to us. But let that new Republic be bound to us only by the strongest of bonds—the ties of obligation, respect, and love.

INLAND CANALS.

Bearing a direct relationship with the construction of the Panama Canal there is the improvement and extension of the inland waterways of this great nation. Inland waterways tend to cheapen the cost of carriage and to develop industry, and ought to emphasize strongly the economic importance of inland navigation. They cheapen the rate of transportation not only for the products of the farmer, but to the manufacturer as well. Since 1882 there have been biennial appropriations made for improving our inland waterways. As this is a matter of such vital importance to the people, this policy should be changed and annual appropriations made. These water routes have to a large extent made possible the development of our iron industries. The richest iron regions of the United States, those of northern Michigan and Wisconsin, are nearly 1,000 miles distant from the great coal fields of Pennsylvania, but with a waterway connecting them, on which freight rates are a little over 1 mill a ton-mile, the two mining regions are brought closer together.

The distribution and consumption of coal, both for manufacturing and boating purposes, have been largely increased on account of inland transportation through the Ohio River and the Great Lakes. The improvement and extension of the water routes of the Great Lakes, the Mississippi River system, the Missouri, the construction of the ship canal between the Mississippi River and Lake Michigan, of a lake ship canal from Pittsburg to Lake Erie, of a lake ship canal to St. Paul and Minneapolis, will tend to further distribute coal at a cheaper rate and greatly widen the present marketable limits. The inland waterways are likewise of great importance to the consumer and producer of lumber in the United States. Thus far railroads have been able to transport east from Washington only high-grade shingles to the Mississippi Valley. Farther inland, waterways enable home industries to compete more easily with foreign producers, not only by decreased cost of transportation on articles destined for export, but also by making raw material cheaper. The development of the inland navigation of the United States will assist us in maintaining a high standard of life in competition with Europe.

THE FLORIDA CANAL.

In this connection I desire to call the attention of the House to a measure—House bill 9487, now in the hands of the Committee on Rivers and Harbors—providing for a survey or surveys to be made to determine the feasibility of a canal between the waters of the St. Johns River and the Gulf of Mexico. The construction of this canal is not only of vital importance to the State of Florida, but to the nation at large as well. It means the lessening of distance for freight traffic by coasting and steam vessels between all points on the eastern coast and those on the Gulf and Pacific by over 600 miles. To the shipping interests it would mean a saving of two days in point of time, 600 tons of coal for steamers, lessening freight rates; to the shipper the decrease in both freight and insurance rates, and quicker delivery. Seventy-five per cent of the manufacturing interests shipping their goods to Pensacola, Mobile, New Orleans, and Galveston at present do not insure, for the reason that the insurance exceeds the freight rates.

To the consumer the construction of the canal means a lessening of the cost. One line of steamers operating between the ports of New York, New Orleans, and Galveston during the year 1903 shipped 18,000,000 tons of freight. The importance of this measure may well be understood when this is taken into consideration. Every southern city, as well as all the ports along the eastern coast of the United States, should be vitally concerned in regard to this matter. The wreck coast of the United States for years has been the southerly part of Florida and the tortuous channels of the Florida Keys. No private or corporate interests should be permitted to interfere with the passage of such a measure. The line of the canal suggested would be through the St. Johns River, Doctors Lake, and the Waccassie River on the Gulf side. The cost of construction is comparatively small when the fact is taken into consideration that valuable deposits of phosphates, which are salable as fertilizer, are to be found along the proposed line, and also that the lands are heavily timbered. This

is one of the many projects of a similar nature which should receive the attention of the National Legislature.

THE WATERWAYS IN AND ABOUT NEW YORK CITY.

The improvement of the waterways in and about New York City, the commercial center of the country, means to a great degree enhancing the prosperity of the entire nation. The commerce of New York, as given by the Bureau of Statistics, Department of Commerce and Labor, show imports, \$574,066,854; all other ports in the United States, \$409,507,602; aggregate exports, New York, \$558,388,935; all others, \$889,625,613. This expressed in tons, foreign commerce, New York, 17,398,058; coasting trade, 20,000,000; making a total of 37,564,108 tons. The customs revenue in the city of New York is 65.01 per cent of the total collected in the United States. The improvement of the Harlem River Ship Canal and the Harlem River and Bronx Kills to the deep waters of the Sound and the ocean mean much toward increasing the commerce of the metropolis.

Not only these improvements, but the measure, House bill 9486, providing for a survey or surveys to be made to determine the feasibility of a canal between Flushing Bay and Newtown Creek, county of Queens, State of New York, has an important bearing on the development of the various channels in and about New York. The fabulous sums expended in blowing out Hell Gate in order to open up a channel for passing vessels have not as yet achieved the object sought, and the money spent at Hell Gate would have been more than sufficient to construct the Newtown Creek and Flushing Bay Canal, and provide a broad and clear channel for vessels from the East River and the Sound. All Long Island and the East River section would be immensely benefited by this canal, and it is for this reason that it possesses a national character and that Congress may rightly and properly authorize an expenditure for its construction.

New York is the greatest seaboard terminus and port for international trade for the world, and any project which gives increased value to this port materially benefits every section of the United States. This canal is a scheme which originated with DeWitt Clinton, who saw in the future that the trend of population in this great center of the western world would be toward what are now known as the boroughs of the Bronx and Queens, and that the food supply and material for the well-being of the people would necessarily be delivered at a cheaper rate by the construction of such a waterway. The cost of this work is comparatively small, as the Geological Survey shows an alluvial soil along the entire route and that no blasting will be required.

Enormous sums have been expended by the United States Government in dredging Newtown Creek in the endeavor to maintain an 18-foot channel for a distance of about 2½ miles. With every recurring tide, debris and refuse are deposited and the channel becomes rapidly shallower, and it is now estimated that the work done by the Department of War, and declared practically completed by that Department, June 30, 1903, has failed of its object to such an extent that the channel is only 14 feet at the present time. There is no stream of its size in the United States where such a quantity of freight is handled as in Newtown Creek. The estimated amount is in excess of 3,000,000 tons annually and consists mainly of coal, building materials, oils, and chemicals.

The construction of this canal would mean the constant flushing of the creek and the maintenance of a channel of proper depth with little or no cost to the United States Government, and at the same time would greatly enhance the value of the commerce of New York City.

The project proposed is analogous to that of the canal or waterway across Keweenaw Point from Keweenaw Bay to Lake Superior. This canal was purchased by the United States September 19, 1890, and deepened from 13 feet to 20 feet at an outlay of \$1,243,996.56 up to June 30, 1902. During the season of navigation in 1901, 2,114,385 net tons of freight were carried through this canal, valued at \$57,876,480. This waterway, uniting Portage Lake and Lake Superior, is under Government control. The increasing congestion of traffic on the East River, causing an increase in loss by collision and accidents occurring from crowding of the waterway, will ultimately compel the deepening and extension of every outlet, including the Newtown Creek. The damage done by the sinking of a vessel or two every week or so in the course of a short time amounts to far more than the total expense necessary to construct this canal and to make and maintain this channel. A farsighted policy would, therefore, dictate steps which would prevent a recurrence of such losses to commerce.

While considering this particularly interesting subject, I desire to call the attention of the House to the fact that, despite the statement that has recently been made that "the United States Government is not in the canal-building business," the following canals are directly maintained or were constructed by the United States Government, and the gross amount of tonnage compares in no wise to that which would pass through the canals mentioned in the preceding parts of this address.

Government-built canals.

Name.	Length.	Tonnage.
Bee Tree Shoals, Alabama	8 miles	210,284
Cascades, Oregon	3,402 feet	19,710
Duluth (Duluth-Superior) .....	.....	12,973,373
Illinois and Mississippi Canal (Illinois)	4½ miles	1,473
Keweenaw Point, Mich. (Portage Lake) .....	.....	2,114,385
Louisville and Portland, Mosquito Creek, South Carolina	2 miles	847,710
Seattle, Wash. ....	.....	210,565
St. Marys Falls Canal (Michigan)	1½ miles	34,674,437

All of these projects are worthy of the most careful and earnest consideration of the National Government. The improvement of our waterways is a matter of the gravest concern, not only to the producers, but to the consumers as well. It means a lessening of the cost of marketing products and cheapening prices. In the words of the Cullom Commission:

The manufacturing destiny of our country points unerringly to the emancipation of the waters as its next great work, a fitting sequel to the emancipation of the slave, a destiny not of war, but of beneficence and peace to which the heart of the nation turns as spontaneously and resistlessly as the waters of its great river flow to the Gulf.

Already in every part of the world the commercial supremacy of the United States is being recognized, and every effort which is made on the part of the National Government to increase its commerce without artificial means tends toward the well-being of the entire people. The building of canals—the Panama Canal, the Florida Canal, improving the Harlem Ship Canal and the Bronx Kills Canal, the Newtown Creek and Flushing Bay Canal, the construction of a canal south of Cape Cod, of a canal connecting the waters of the Delaware River with the Chesapeake Bay, the improvement and extension of all our great inland waterways—means much to our people in that they act as a check on the greed of corporate interests in railways, lessen the cost of freight, and be of great and lasting benefit.

Signs of the times indicate that this nation is about to play a part which it has never taken before in the life of the people of the entire world, and that its usefulness will be greater and greater. Every effort tending toward furthering the interests of the people will increase the power of the nation. Through its commerce, not by force of arms, there will be carried to the nations of the world a message of liberty and freedom that will prove an incentive toward a higher and better world life. Our flag will then represent in government what the cross of Christ represents in religion—all that is highest and noblest and best. [Applause.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, does any gentleman on that side desire to consume any time now?

The CHAIRMAN. The gentleman from Indiana [Mr. HEMENWAY] has consumed all of his time.

Mr. WILLIAMS of Mississippi. Then I yield such time as remains to this side to the gentleman from New York [Mr. BAKER]. I believe it is fourteen minutes.

The CHAIRMAN. The gentleman from New York [Mr. BAKER] is recognized for fourteen minutes.

Mr. BAKER. Mr. Chairman, a few days ago, on one of the three occasions when gentlemen from the great State of Ohio annihilated the present speaker, in response to the second of those speeches, that of Judge GOEBEL, of Cincinnati, I made an impromptu statement, because my reply to the gentleman's remarks was offhand and entirely unpremeditated. I said then that in the city of Cincinnati, governed by George B. Cox, that impeccable gentleman who has been so highly extolled three times upon this floor during the last few weeks, that in that city and under his administration—because he is the real mayor despite all the laudation on this floor of Mr. Fleischmann—that there were sixty-four men registered from one room in which sixty-four men could not stand erect.

It appears that I have overstated the case, and as I have no desire to place the matter in any other light than is warranted by the facts, because we are always told when these charges are made that it is an attack upon the fair fame of Cincinnati. You never must say anything about corruption; you never must say anything about wrong; you never must say anything about misgovernment; you must not discuss the question of illegal or fraudulent registration, because if you do the fair fame of that city has been attacked.

It appears from the statement that I hold in my hand that so far from sixty-four men being registered from 13 Gano alley, as I then said, there were forty-five men registered on the first registration day in last October. Investigation reveals the fact that 13 Gano alley consists of two rooms, one 14 feet square and the other somewhat smaller. The only pieces of furniture in these two rooms were two chairs without any backs and an old cannon stove. So that even under the correction of the statement made here, it is

probable it was true when I said it was not possible for sixty-four men to stand erect in that room.

Now, Mr. Chairman, I have no desire to take up the time of the House. It is of no interest, I am sure, to my Republican friends, for they will ignore it; but I shall ask unanimous consent to insert as a part of my remarks a letter from Mr. Benton S. Oppenheimer, of that city, a statement by him about the illegal registering in Cincinnati and the great difficulty that has been placed in the way of the men who attempted to purge the registration lists by the boards of election in Cincinnati, composed of Republicans and so-called Democrats.

I also ask permission to insert two speeches delivered by the gentleman from Cincinnati [Mr. GOEBEL], one on the 12th of October, 1897, and the other on May 29, 1899, in which in as scathing language as any man could use he denounced George B. Cox, then, as now, the boss of the Republican city of Cincinnati.

I also wish to incorporate in my remarks part of an article which appeared in Frank Leslie's Monthly, written by a gentleman who is well known here as a correspondent of one of the Cincinnati papers, in which he describes in very lucid language the power of this private gentleman, George B. Cox, who rules the city of Cincinnati. For illustration: He asked him a question on one occasion as to what reason he ascribed his success. He replied: "I use my own judgment as to the class of candidates most acceptable to the people."

George B. Cox thus asserts that he determines who shall be candidates upon the Republican ticket in the city of Cincinnati. A little later on a State convention is held, and from this report, among other officers, candidates for attorney-general were to be nominated. Mr. Daugherty was to be a candidate, and this gentleman says to Mr. Cox, "How many votes are you going to give to Daugherty?" "Not any," says Mr. Cox in a gruff voice. The gentleman says he protested against that and told Mr. Cox, "Daugherty and I are friends and I wanted to have a vote cast for him." Another gentleman said he was in the same condition of mind. Mr. Cox then said, "I will give him eight votes." This governor of the city of Cincinnati to these assembled gentlemen said, "I will give him eight votes." Without consulting any of the members, without consulting any of the men who had seats in that convention from Cincinnati, he gave eight votes to Daugherty.

A gentleman, Mr. Bellamy Storer, was once a Member of this House. He desired to be renominated by the Republican party and Mr. Cox's statement as to this is also given. He was asked this question: "Why did you turn out Mr. Bellamy Storer?" "Bellamy Storer served two terms," says Mr. Cox. "After his first campaign he gave me no credit whatever for his nomination."

Then he gives some details unnecessary to repeat. He then says Mr. Storer came to him and explained, and he told Storer, "No matter what differences there are between you and me, it is the custom to give a Congressman a second term and I shall not depart from that custom."

That's George B. Cox, the boss of the Republican party, the party that boasts of being the party of Abraham Lincoln. All right. Mr. Storer goes away. Mr. Cox complained that he (Storer) had presided over the State convention, but did not come to see him (Cox). Mr. Storer's friends saw him before the convention and told him it was all right—he would be nominated. He took the advice of those friends and did not again call upon Cox, showing, as Cox says, "that he was willing to ignore me." What did George B. Cox do? He then sent to Charles P. Taft and asked him to accept the nomination, and next day he was nominated by acclamation. That is the act of the real governor of the great Republican city of Cincinnati.

Mr. Chairman, I ask permission to insert these in the RECORD. Mr. PALMER. I object.

The CHAIRMAN. The gentleman from New York asks unanimous consent to insert the matter named in the RECORD. Is there objection?

Mr. PALMER. I object.

Mr. BAKER. Mr. Chairman, I give notice right here and now that hereafter there will be no unanimous consents for extension of remarks in the RECORD. [Applause.]

Mr. ROBINSON of Indiana. Mr. Chairman, I raise the point of order against the objection that the gentleman did not object by rising in his seat.

The CHAIRMAN. If the gentleman insists on that point of order the Chair will have to sustain it. The gentleman did not rise and address the Chair.

Mr. BAKER. Is my time used up, Mr. Chairman?

The CHAIRMAN. The time has not expired. The gentleman has seven minutes remaining. The Chair will again put the request of the gentleman from New York. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by inserting the matter to which he has referred. Is there objection?

Mr. PALMER. I object.

The CHAIRMAN. The gentleman from Pennsylvania objects. Mr. WILLIAMS of Mississippi. Now, Mr. Chairman, the gentleman from Missouri [Mr. LAMAR] neglected before he sat down to ask permission to extend his remarks in the RECORD. I wish to ask unanimous consent that he may have that leave.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the gentleman from Missouri may have leave to extend his remarks in the RECORD. Is there objection?

Mr. LIVINGSTON. I wish to ask that permission for all gentlemen who have addressed the House on this bill.

Mr. HEMENWAY. Within what time?

Mr. LIVINGSTON. About five days.

The CHAIRMAN. The Chair will state to the gentleman from Georgia that it is not the rule to grant general leave to those who have addressed the House to extend their remarks in the RECORD. The rule is to recognize individual requests.

Mr. LIVINGSTON. I beg to say that it has been done ever since I have been in the House—for twelve or fourteen years.

The CHAIRMAN. The Chair desires to say to the gentleman that that is never done in Committee of the Whole.

Mr. LIVINGSTON. Very well; I withdraw the request.

The CHAIRMAN. As a matter of fact, under the rule it is questionable whether the Committee of the Whole has power to grant unanimous consent for extensions by individual Members.

Mr. WILLIAMS of Mississippi. I now renew my request.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the gentleman from Missouri [Mr. LAMAR] be permitted to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. BAKER. Now, Mr. Chairman, I want to ask, as a parliamentary inquiry, whether it will be in order for me to move that I may be allowed to extend my remarks in the RECORD, so as to include a portion of the article I have not read?

The CHAIRMAN. In answer to the gentleman from New York the Chair will state that it will not be in order for him to move that he be permitted to extend his remarks in the RECORD, as requested.

Mr. BAKER. Then I ask unanimous consent that I be permitted to extend my remarks in the RECORD.

Mr. PALMER. My objection was to putting in two speeches made by somebody or other and a magazine article. That is what I objected to. I did not object to the gentleman extending his own remarks in the RECORD.

The CHAIRMAN. The request for unanimous consent has been made before the committee twice, and objection has been made.

Mr. BAKER. I have no desire to incorporate this article in my remarks, but simply to incorporate two paragraphs which I did not inflict upon the House. That is all. I commenced the article about four-fifths of the way through.

The CHAIRMAN. The gentleman from New York has yielded the floor and is not in order unless speaking on some other subject.

Mr. HEMENWAY. I move that the committee do now rise.

The CHAIRMAN. The gentleman from Indiana moves that the committee do now rise.

The motion was agreed to; and the Speaker having resumed the chair, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill H. R. 10954, the urgent deficiency bill, and had come to no resolution thereon.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 61. An act for the relief of M. E. Saville—to the Committee on Claims.

S. 56. An act for the relief of the legal representatives of Napoleon B. Giddings—to the Committee on War Claims.

S. 619. An act making appropriation for completing the construction of the road to the national cemetery near Pensacola, Fla.—to the Committee on Military Affairs.

S. 468. An act for the relief of the widow and children of the late Joseph W. Etheridge and the widow of the late John M. Richardson—to the Committee on Interstate and Foreign Commerce.

S. R. 21. Joint resolution authorizing the purchase of a marble bust of General Lafayette, executed by David D'Angers—to the Committee on the Library.

S. 2262. An act to provide for the removal or destruction of derelicts—to the Committee on Interstate and Foreign Commerce.

S. R. 20. Joint resolution authorizing the selection of a site and the erection of a pedestal for a bronze statue in Washington, D. C., in honor of the late Henry Wadsworth Longfellow—to the Committee on the Library.

S. 2697. An act to amend an act authorizing the Secretary of War to cause to be erected monuments and markers on the bat-

tlefield of Gettysburg, Pa., to commemorate the valorous deeds of certain regiments and batteries of the United States Army—to the Committee on Military Affairs.

S. 2696. An act authorizing and directing the Secretary of the Treasury to pay John F. Weston the sum of \$241.60, etc.—to the Committee on Claims.

S. 2692. An act to establish a life-saving station at Nome, Alaska—to the Committee on Interstate and Foreign Commerce.

S. 2465. An act to revive and amend an act entitled "An act to authorize the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala.—to the Committee on Interstate and Foreign Commerce.

S. 2114. An act to fix the rank of certain officers in the Army—to the Committee on Naval Affairs.

S. 1741. An act for the relief of the county of White Pine, State of Nevada—to the Committee on Claims.

S. 1634. An act for the erection of a statue to the memory of Gen. James Miller at Peterboro, N. H.—to the Committee on the Library.

S. 921. An act granting to the State of Wyoming 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home—to the Committee on the Public Lands.

S. 903. An act providing for the purchase of metal and the coinage of minor coins, and the distribution and redemption of said coins—to the Committee on Coinage, Weights, and Measures.

S. 792. An act to aid in the erection of a monument or memorial at Point Pleasant, W. Va., to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians October 10, 1774—to the Committee on the Library.

S. 421. An act for the relief of W. J. Kountz—to the Committee on Claims.

S. 372. An act authorizing the recorder of the General Land Office to issue certified copies of patents, records, books, and papers—to the Committee on the Public Lands.

S. 250. An act granting to the State of Idaho 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Idaho State Soldiers and Sailors' Home—to the Committee on the Public Lands.

S. 146. An act for the relief of Leonard L. Dietrick—to the Committee on Claims.

S. 126. An act for the relief of Rudolf Herbst—to the Committee on War Claims.

S. 122. An act authorizing the Secretary of the Interior to restore to public entry lands embraced in whole or in part within segregations for reservoirs—to the Committee on the Public Lands.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 4115. An act granting an increase of pension to Joseph S. Young;

H. R. 3472. An act granting an increase of pension to Marcus E. Amsden;

H. R. 2991. An act granting an increase of pension to Lydia A. Topping;

H. R. 3001. An act granting an increase of pension to Alpheus Converse;

H. R. 5719. An act granting an increase of pension to Forbes Homiston;

H. R. 6830. An act granting an increase of pension to Charles E. Likes;

H. R. 4726. An act granting an increase of pension to Samuel B. Brightman;

H. R. 1288. An act granting an increase of pension to Jason Stevens;

H. R. 907. An act granting an increase of pension to De Witt C. Parker, alias Clinton J. Parker;

H. R. 1184. An act granting an increase of pension to William F. Longenhagen;

H. R. 990. An act granting an increase of pension to Harrison W. Fox;

H. R. 7666. An act granting an increase of pension to Laura F. Hine;

H. R. 3743. An act granting an increase of pension to Charles E. Foley;

H. R. 942. An act granting an increase of pension to James F. Hardy;

H. R. 957. An act granting an increase of pension to Alonzo Carpenter;

H. R. 1517. An act granting an increase of pension to George W. Hutchison;

H. R. 5246. An act granting an increase of pension to Sebastian B. Elliott;

H. R. 7370. An act granting an increase of pension to Andrew Ivory;

H. R. 2188. An act granting an increase of pension to Richard L. Cook;

H. R. 2155. An act granting an increase of pension to Charles W. Bechstedt;

H. R. 3000. An act granting an increase of pension to William C. Best;

H. R. 4935. An act granting an increase of pension to Edward T. Miller;

H. R. 5197. An act granting an increase of pension to William C. Brown;

H. R. 2472. An act granting an increase of pension to David F. Lewis;

H. R. 661. An act granting an increase of pension to Elizabeth E. Meckly;

H. R. 2108. An act granting an increase of pension to Henry D. Wright;

H. R. 3778. An act granting an increase of pension to Juliaetta Rowling;

H. R. 864. An act granting an increase of pension to Albert Moulton;

H. R. 3821. An act granting an increase of pension to Hannah Padgett, now Riley;

H. R. 1856. An act granting an increase of pension to Alexander H. Covert;

H. R. 5521. An act granting an increase of pension to Charles S. Clark;

H. R. 3013. An act granting an increase of pension to John A. Mavity;

H. R. 722. An act granting an increase of pension to Zechariah B. Stuart;

H. R. 6975. An act granting an increase of pension George W. Lawson;

H. R. 2042. An act granting an increase of pension to Alvin B. Hubbard;

H. R. 2690. An act granting an increase of pension to Thomas Kelly;

H. R. 6441. An act granting an increase of pension to Peter Fillion;

H. R. 2616. An act granting an increase of pension to Joseph K. Welt;

H. R. 5005. An act granting an increase of pension to Worthington S. Lock;

H. R. 7002. An act granting an increase of pension to James S. Rearden;

H. R. 5177. An act granting an increase of pension to William H. Clark;

H. R. 4319. An act granting an increase of pension to John Sexton;

H. R. 930. An act granting an increase of pension to Thomas M. Parkison;

H. R. 6619. An act granting an increase of pension to Benjamin R. Little;

H. R. 4200. An act granting an increase of pension to Milton H. Sweet;

H. R. 1903. An act granting an increase of pension to Harvey D. Barr;

H. R. 5841. An act granting an increase of pension to Abraham Wilson;

H. R. 6932. An act granting an increase of pension to Harvey B. King;

H. R. 9292. An act in relation to business streets in the District of Columbia;

H. R. 5559. An act granting an increase of pension to Josephine C. Chase;

H. R. 196. An act granting a pension to Grace E. Carson;

H. R. 2139. An act granting an increase of pension to James W. Knight;

H. R. 616. An act granting an increase of pension to Sarah S. Chrysler;

H. R. 895. An act granting an increase of pension to Margaret M. Walker;

H. R. 2424. An act granting a pension to Emma Butler;

H. R. 5464. An act granting an increase of pension to Francis M. Northern;

H. R. 227. An act granting a pension to Margaret Cotter;

H. R. 5010. An act granting a pension to Mary F. Hamilton;

H. R. 5043. An act granting a pension to William H. Harrison;

H. R. 4916. An act granting an increase of pension to Allen M. Pierce; and

H. R. 7849. An act to authorize the county of Poinsett, in the State of Arkansas, to construct a bridge across the St. Francis River at or near the town of Marked Tree, in said county and State.

The SPEAKER also announced his signature to enrolled bill of the following title:

S. 2121. An act to amend an act entitled "An act providing for

public printing and binding and distribution of public documents."

MESSAGE FROM THE PRESIDENT.

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on the Library, and ordered to be printed:

To the Senate and House of Representatives:

I herewith lay before the Congress a letter from the Polish organizations of the United States and the report thereon from Col. Thomas W. Symons, superintendent of public buildings and grounds. In view of the recommendation of Colonel Symons, I advise that the very patriotic offer of the Polish organizations be accepted, and that instead of the statue of Pulaski (which, in the judgment of his Polish compatriots, should be an equestrian statue, and which it is now proposed to place in reservation 33, on the north side of Pennsylvania avenue, between Thirteenth and Fourteenth streets) there be a pedestrian statue of Kosciusko accepted by the Government, to be placed on one of the four corners of Lafayette square. These four corners would thus ultimately be occupied by statues of Lafayette, Rochambeau, Von Steuben, and Kosciusko, all of whom in the stormy days which saw the birth of the Republic rendered service which can never be forgotten by our people.

THEODORE ROOSEVELT.

WHITE HOUSE, January 23, 1904.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. WEEMS was given leave to withdraw from the files of the House, without leaving copies, the papers in the case of William Welsh, Fifty-seventh Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. CUSHMAN for three days, on account of important business.

Mr. HEMENWAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, submitting a report on the expenditures of recent appropriations for construction, equipment, and maintenance of buildings at military posts and stations for the conduct of post exchange, school, library, amusements, etc.—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for a highway bridge across the Potomac—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting a revised estimate of appropriation for naval station at Olongapo, P. I.—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Civil Service Commission submitting an estimate of appropriation for traveling expenses—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of War, submitting papers relating to the claim of the Mitsui Bussan Kaisha, a Japanese corporation—to the Committee on Claims, and ordered to be printed.

A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Willamette River opposite Albany, Oreg.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Acting Secretary of State, transmitting, with inclosures, a recommendation that authority be given to invite the International Congress of Hygiene and Demography to meet in Washington in 1909—to the Committee on Foreign Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CLAYTON, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 9648) to amend the first section of an act providing that the circuit court of appeals for the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January 30, 1903, reported the same without amendment, accompanied by a report (No. 608); which said bill and report were referred to the House Calendar.

Mr. PEARRE, from the Committee on the Judiciary, to which

was referred the bill of the House (H. R. 8335) to amend an act entitled "An act to determine the sessions of the circuit and district courts of the United States for the eastern district of Wisconsin," approved March 31, 1892, chapter 28, reported the same without amendment, accompanied by a report (No. 609); which said bill and report were referred to the House Calendar.

Mr. THOMAS, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 10142) authorizing the examination as a witness of the husband or wife of the defendant in criminal cases, reported the same without amendment, accompanied by a report (No. 610); which said bill and report were referred to the House Calendar.

Mr. ALLEN, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 9331) to extend the time for completion of the East Washington Heights Traction Railroad Company, reported the same with amendment, accompanied by a report (No. 611); which said bill and report were referred to the House Calendar.

Mr. POWERS of Massachusetts, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 2871) to incorporate the Mutual Investment Fire Insurance Company of the District of Columbia, reported the same with amendment, accompanied by a report (No. 612); which said bill and report were referred to the House Calendar.

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 10669) to regulate the issue of licenses for Turkish, Russian, or medicated baths in the District of Columbia, reported the same with amendment, accompanied by a report (No. 613); which said bill and report were referred to the House Calendar.

Mr. POWERS of Massachusetts, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 10417) to prevent cruelty to certain animals in the District of Columbia, reported the same without amendment, accompanied by a report (No. 614); which said bill and report were referred to the House Calendar.

Mr. SAMUEL W. SMITH, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 8686) to amend section 895 of the Code of Law for the District of Columbia, reported the same without amendment, accompanied by a report (No. 615); which said bill and report were referred to the House Calendar.

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill (H. R. 10421) to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes, reported the same with amendment, accompanied by a report (No. 616); which said bill and report were referred to the House Calendar.

Mr. HITT, from the Committee on Foreign Affairs, to which was referred the joint resolution of the House (H. J. Res. 82) to extend the invitation of Congress to the Interparliamentary Union, and making an appropriation for the entertainment of its members, reported the same without amendment, accompanied by a report (No. 619); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 895) granting an increase of pension to Charles Disbrow, reported the same without amendment, accompanied by a report (No. 607); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 4344) for the relief of Vincenzo Gerardi, of Washington, D. C., reported the same with amendment, accompanied by a report (No. 617); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 2 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SHERLEY: A bill (H. R. 11270) to provide for the construction of a dam on the Ohio River at the head of the falls at Louisville, and so forth—to the Committee on Rivers and Harbors.

By Mr. SMALL: A bill (H. R. 11271) to amend section 2513, Revised Statutes of the United States—to the Committee on Ways and Means.

By Mr. MORRELL: A bill (H. R. 11272) for the erection of a monumental statue in the city of Washington D. C., to Rear-Admiral John A. Dahlgren—to the Committee on the Library.

By Mr. KINKAID: A bill (H. R. 11273) to amend the homestead laws as to certain unappropriated lands in Nebraska—to the Committee on the Public Lands.

By Mr. DANIELS: A bill (H. R. 11274) to establish four permanent military camp grounds in the States of Texas, Wisconsin, Pennsylvania, and California—to the Committee on Military Affairs.

By Mr. PEARRE: A bill (H. R. 11275) for opening Thirteenth street, and so forth—to the Committee on the District of Columbia.

Also, a bill (H. R. 11276) for opening Fourteenth street—to the Committee on the District of Columbia.

By Mr. BENNY: A bill (H. R. 11277) to extend the lien for mariners' wages to the masters of vessels—to the Committee on the Merchant Marine and Fisheries.

By Mr. LAMB: A bill (H. R. 11278) appropriating \$1,200,000 to the Negro Development and Exposition Company of the United States of America—to the Committee on Appropriations.

By Mr. HAMILTON: A bill (H. R. 11279) to legalize and permit the maintenance of certain dams in and bridges over the St. Joseph River in the States of Indiana and Michigan—to the Committee on Interstate and Foreign Commerce.

By Mr. BOWERS: A bill (H. R. 11280) to provide for a survey of the mouth of Jordan River where the same empties into the Bay of St. Louis, in the State of Mississippi—to the Committee on Rivers and Harbors.

By Mr. SCARBOROUGH: A bill (H. R. 11281) to amend an act entitled "An act making appropriations for construction, repair, and preservation of public works on rivers and harbors, and for other purposes," approved June 13, 1902—to the Committee on Rivers and Harbors.

By Mr. GILLET of Massachusetts (by request): A bill (H. R. 11282) providing for conditional retirement of employees in the classified civil service—to the Committee on Reform in the Civil Service.

By Mr. MCCREARY of Pennsylvania: A bill (H. R. 11283) providing for the erection of a statue of Abraham Lincoln at Washington, D. C.—to the Committee on the Library.

By Mr. SAMUEL W. SMITH: A bill (H. R. 11284) to transfer to the Secretary of the Interior such supervision of the Government Hospital for the Insane, Freedmen's Hospital and Asylum, and the Washington Hospital for Foundlings as may have been conferred upon the Board of Charities of the District of Columbia under the act approved June 6, 1900, creating such board—to the Committee on the District of Columbia.

By Mr. BABCOCK: A bill (H. R. 11285) to define the term "registered nurse" and to regulate the use thereof in the District of Columbia—to the Committee on the District of Columbia.

By Mr. ALLEN: A bill (H. R. 11286) to prevent the unlawful wearing of the badge or insignia of the Grand Army of the Republic or other soldier organizations—to the Committee on the District of Columbia.

By Mr. HITT, from the Committee on Foreign Affairs: A bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905—to the Union Calendar.

By Mr. LOUDENSLAGER: A bill (H. R. 11288) granting pensions to certain soldiers and sailors who served in the war of the rebellion, and their widows—to the Committee on Invalid Pensions.

By Mr. VOLSTEAD: A bill (H. R. 11289) to establish a fish-hatching and fish station in the State of Minnesota—to the Committee on the Merchant Marine and Fisheries.

By Mr. SHIRLEY: A bill (H. R. 11290) to establish a permanent military camp ground in the counties of Bullitt, Meade, and Hardin, in the State of Kentucky—to the Committee on Military Affairs.

By Mr. BANKHEAD: A bill (H. R. 11291) to regulate the hours of service and compensation of attendants and nurses at the Government Hospital for the Insane, in the District of Columbia—to the Committee on Appropriations.

By Mr. McDERMOTT: A joint resolution (H. J. Res. 94) proposing an amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. SCUDDER: A joint resolution (H. J. Res. 95) directing the Secretary of War to submit plans and estimates for a break-water off and to the west of Hortons Point, Long Island Sound, in the county of Suffolk and State of New York, for establishment at said point of a harbor of refuge for the protection of shipping and the promotion of commerce—to the Committee on Rivers and Harbors.

Also, a joint resolution (H. J. Res. 96) directing the Secretary of War to submit plans and estimates for dredging Greenport

Harbor and Sterling Basin, all in the county of Suffolk and State of New York—to the Committee on Rivers and Harbors.

By Mr. ACHESON: A joint resolution (H. J. Res. 97) proposing an amendment to the Constitution of the United States granting to Congress the power to establish uniform laws on the subject of divorces throughout the United States—to the Committee on the Judiciary.

By Mr. TAYLOR: A concurrent resolution (H. C. Res. 37) directing the Secretary of War to make survey of channel at Mobile Harbor, Alabama, from its entrance to the head of Spanish River and submitting an estimate of the cost of obtaining a channel—to the Committee on Rivers and Harbors.

By Mr. OTJEN: A concurrent resolution (H. C. Res. 38) accepting statue of James Marquette and giving thanks to the people of Wisconsin therefor—to the Committee on the Library.

By Mr. VAN DUZER: A resolution (H. Res. 192) requesting the Secretary of War to furnish a statement showing whether or not and to what extent and for what articles any officer or employee of the War Department, with authority to enter into any contract on behalf of the Government of the United States, has entered into any contract of purchase for any article of whatsoever nature or kind to be used by the army service, manufactured or made by contract labor—to the Committee on Military Affairs.

Also, a resolution (H. Res. 193) requesting the Postmaster-General to furnish a statement showing whether or not and to what extent and for what articles any officer or employee of the Post-Office Department, with authority to enter into any contract on behalf of the Government of the United States, has entered into any contract of purchase for any articles of whatsoever nature or kind to be used by the Post-Office Department, manufactured or made by contract labor—to the Committee on the Post-Office and Post-Roads.

By Mr. SMITH of Texas: A resolution (H. Res. 194) requesting the Attorney-General of the United States to send to the House for its information a full report showing, respectively, the dates when various suits were instituted—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 11292) granting a pension to Mesura A. Graham—to the Committee on Pensions.

By Mr. ALEXANDER: A bill (H. R. 11293) granting an increase of pension to Frank Fuchs—to the Committee on Invalid Pensions.

By Mr. AMES: A bill (H. R. 11294) granting an increase of pension to Mary Eaton Livingston—to the Committee on Pensions.

By Mr. BOWERSOCK: A bill (H. R. 11295) granting an increase of pension to James W. Cheney—to the Committee on Invalid Pensions.

By Mr. BRANTLEY: A bill (H. R. 11296) granting a pension to Henry K. Genschar—to the Committee on Invalid Pensions.

By Mr. BROOKS: A bill (H. R. 11297) granting an increase of pension to Charles H. Montgomery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11298) granting an increase of pension to George W. Taylor—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 11299) granting an increase of pension to Earl B. French—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 11300) granting pensions to officers and enlisted men of the Eighteenth Battalion and Nineteenth Regiment Kansas Volunteer Cavalry who served thirty days or more in the Sioux Indian war in 1867, 1868, and 1869, and for other purposes—to the Committee on Pensions.

By Mr. CANDLER: A bill (H. R. 11301) granting an increase of pension to Ellen Caroline Steele—to the Committee on Pensions.

By Mr. CASSEL: A bill (H. R. 11302) granting an increase of pension to Jacob Garner—to the Committee on Invalid Pensions.

By Mr. CONNER: A bill (H. R. 11303) granting an increase of pension to Robert Balsking—to the Committee on Invalid Pensions.

By Mr. DANIELS: A bill (H. R. 11304) granting an increase of pension to James Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11305) granting an increase of pension to John E. Kingsbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11306) granting an increase of pension to William P. Stone—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 11307) granting a pension to W. W. Shock—to the Committee on Invalid Pensions.

By Mr. DAVIS of Florida: A bill (H. R. 11308) granting an increase of pension to Silas T. Overstreet—to the Committee on Pensions.

By Mr. DENNY: A bill (H. R. 11309) to grant an honorable discharge to Jacob Hahn, of the Navy—to the Committee on Military Affairs.

By Mr. DOVENER: A bill (H. R. 11310) granting a pension to John W. Swisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11311) granting a pension to Squire H. Stuck—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 11312) granting an increase of pension to Malana W. Brant—to the Committee on Invalid Pensions.

By Mr. GAINES of West Virginia: A bill (H. R. 11313) for the relief of Anna C. Ray—to the Committee on Invalid Pensions.

By Mr. GILLET of Massachusetts: A bill (H. R. 11314) granting a pension to Margaret Flynn—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill (H. R. 11315) granting an increase of pension to Christian Mott—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 11316) granting an increase of pension to Daniel J. Nennemaker—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 11317) granting a pension to Samuel M. Coleman—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 11318) granting an increase of pension to Andrew J. McPike—to the Committee on Invalid Pensions.

By Mr. HUNTER: A bill (H. R. 11319) granting an increase of pension to Mary C. Arnold—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 11320) for the relief of Martha E. Conklin—to the Committee on Claims.

By Mr. KINKAID: A bill (H. R. 11321) granting a pension to Pauline W. Stuckey—to the Committee on Invalid Pensions.

By Mr. KYLE: A bill (H. R. 11322) granting an increase of pension to John A. Stevens—to the Committee on Invalid Pensions.

By Mr. WILSON of Arizona: A bill (H. R. 11323) granting a pension to Isabella J. Wray—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 11324) granting an increase of pension to Charles Alfred De Arnaud—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 11325) granting an increase of pension to Jane S. Minor—to the Committee on Pensions.

By Mr. MORRELL: A bill (H. R. 11326) removing the charge of desertion from the military record of Jules Remmlein—to the Committee on Military Affairs.

By Mr. MCCREARY of Pennsylvania: A bill (H. R. 11327) granting a pension to Eliza C. Fink—to the Committee on Invalid Pensions.

By Mr. McMORRAN: A bill (H. R. 11328) for the relief of Henry La Croix, of Algonac, Mich.—to the Committee on Claims.

By Mr. PORTER: A bill (H. R. 11329) granting an increase of pension to George Wineland—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 11330) granting a pension to William L. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11331) granting a pension to Peter M. Jumper—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 11332) granting an increase of pension to Theodore S. Gillis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11333) to confer jurisdiction on the Court of Claims to hear and determine the claims of churches, lodges, and so forth—to the Committee on War Claims.

By Mr. SHAFROTH: A bill (H. R. 11334) for the relief of the estate of Hugh Davis, deceased, of Fayette County, Tenn.—to the Committee on War Claims.

By Mr. SHIRAS: A bill (H. R. 11335) granting an increase of pension to John Trader—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 11336) granting an increase of pension to Samuel E. Hazen—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 11337) for the relief of G. H. Dearen—to the Committee on Claims.

By Mr. SMITH of New York: A bill (H. R. 11338) granting an increase of pension to Lewis B. Hook—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 11339) granting an increase of pension to Vatchel Carman—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 11340) granting a pension to Eliza Clune—to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 11341) granting a pension to John H. Sumner—to the Committee on Invalid Pensions.

By Mr. VAN VOORHIS: A bill (H. R. 11342) granting an in-

crease of pension to Alfred S. Wood—to the Committee on Invalid Pensions.

By Mr. WEEMS: A bill (H. R. 11343) granting an increase of pension to Matthew S. Priest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11344) granting a pension to Emma Bingham Pearce—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: A bill (H. R. 11345) granting a pension to Joseph H. Huie—to the Committee on Pensions.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 11346) for the relief of Mrs. M. O. King—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of the New York Zoological Society, praying for national protection for the Calaveras groves of big trees—to the Committee on the Public Lands.

Also, resolutions of Vennum Post, No. 471, of Milford, Ill., and L. B. Brown Post, No. 151, of Sheldon, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, memorial of the Savannah Cotton Exchange, praying for legislation to enable the Interstate Commerce Commission to fix freight rates in certain cases—to the Committee on Interstate and Foreign Commerce.

By Mr. ALEXANDER: Resolution of James Ayer Post, No. 202, Grand Army of the Republic, of Angola, N. Y., in favor of the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BARTLETT: Resolution of the Board of Trade of Brunswick, Ga., favoring bill H. R. 7637, for deepening the harbor at Brunswick, Ga.—to the Committee on Rivers and Harbors.

Also, resolution of the Chamber of Commerce and Commissioners of Pilotage of Savannah, Ga., protesting against passage of bill S. 2260—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Savannah Cotton Exchange, relative to enlarging power of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Board of Trade of the city of Milledgeville, Ga., relative to legislation for good roads—to the Committee on Agriculture.

By Mr. BENNY: Papers to accompany bill H. R. 8918, to correct the military record of John Hunter—to the Committee on Military Affairs.

Also, paper to accompany bill granting increase of pension to Benjamin Manning—to the Committee on Invalid Pensions.

By Mr. BRANTLEY: Petition of the pastors and 46 others, of Tallapoosa, Ga., in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of Brunswick (Ga.) Board of Trade, relative to improvement of inner harbor at Brunswick, Ga.—to the Committee on Rivers and Harbors.

Also, resolution of Brunswick (Ga.) Board of Trade, in favor of an isthmian canal—to the Committee on Interstate and Foreign Commerce.

Also, resolution of mayor and aldermen of the city of Brunswick, Ga., relative to improvement of inner harbor and ocean bar at Brunswick, Ga.—to the Committee on Rivers and Harbors.

By Mr. BURKETT: Petition of residents of Nebraska, against sale of liquor in Government buildings and Soldiers' Homes—to the Committee on Alcoholic Liquor Traffic.

By Mr. BUTLER of Pennsylvania: Resolution of Grand Army of the Republic Post No. 130, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CLARK: Petition of J. W. Hulse and 42 others, of Wellsville, Mo., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. COUSINS: Petition of W. H. Brown and 26 others, of Bangor; Ernest Brewer and 49 others, of Gladbrook, and Rev. C. E. Foster and 23 others, of Toledo, all in Iowa, in favor of the enactment of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DANIELS: Petition of residents of the County of Inyo, Cal., relative to a trail up Mount Whitney, California—to the Committee on Military Affairs.

Also, papers to accompany bill granting an increase of pension to William P. Stone—to the Committee on Invalid Pensions.

By Mr. DALZELL: Resolution of General Alexander Hays Post, No. 3, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DINSMORE: Papers to accompany bill granting a pension to Mary Begly—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Samuel P. Smith—to the Committee on Invalid Pensions.

By Mr. DOVENER: Affidavits in support of a bill for a pension for Squire H. Stuck—to the Committee on Invalid Pensions.

Also, petition of John W. Swisher for a special-act pension—to the Committee on Invalid Pensions.

By Mr. FULLER: Resolutions of Francis M. Lane Post, No. 247, of Ransom, Ill., and Barnes Post, No. 395, of Kingston, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAMLIN: Papers to accompany a bill granting a pension to Samuel M. Coleman—to the Committee on Invalid Pensions.

By Mr. HARDWICK: Papers to accompany bill H. R. 4926—to the Committee on Claims.

Also, resolutions of Board of Trade of Brunswick, Ga., in support of bill H. R. 7637—to the Committee on Rivers and Harbors.

Also, resolutions of the Cotton Exchange of Savannah, Ga., as to unjust discriminations in tariff rates between different sections and localities—to the Committee on Interstate and Foreign Commerce.

Also, petition of certain commercial bodies of Savannah, Ga., protesting against bill S. 2260—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany bill H. R. 5998—to the Committee on Claims.

By Mr. HAUGEN: Petition of citizens of Decorah, Iowa, protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HEDGE: Resolution of McFarland Post, No. 20, Grand Army of the Republic, of Mount Pleasant, Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: Petition of Joel Wolfe Post, No. 81, Grand Army of the Republic, of Rushville, Ind., urging passage of Hemenway service-pension bill—to the Committee on Invalid Pensions.

By Mr. HEPBURN: Resolution of Burnside Post, No. 56, Grand Army of the Republic, Department of Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Rev. C. E. Pomeroy and 47 others, of Murray, Iowa, in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HUFF: Resolution of Colonel Joseph H. Wilson Post, No. 496, Grand Army of the Republic, Department of Pennsylvania in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LAMB: Petition of the Negro Development and Exposition Company of the United States, relative to an exhibition of the achievements of the negroes of this country—to the Committee on Industrial Arts and Expositions.

By Mr. LINDSAY: Letter of Rev. Lindsay Parker, D. D., of Brooklyn, N. Y., and others, in favor of bill relative to the recognition and promotion of army chaplains—to the Committee on Military Affairs.

By Mr. LIVINGSTON: Resolution of Savannah Cotton Exchange, in favor of enlarging the powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. MCCARTHY: Resolution of the Fremont Commercial Club, of Fremont, Nebr., relative to the reorganization of the consular system—to the Committee on Foreign Affairs.

By Mr. OLMSTED: Resolution of Captain William Tice Post, No. 471, and Colonel Simmons Post, No. 116, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. REEDER: Petition of the B. Y. P. U. Society of Downs, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: Papers to accompany bill H. R. 10099, granting a pension to Harrison Cook—to the Committee on Pensions.

By Mr. RIXEY: Petition of William T. Smith and 6 others, of Lincoln, Va., and Rev. W. H. Ballenger and 43 others, of Warrenton, Va., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petition of A. L. Randall and 75 members of the Automobile Club of Fort Wayne, Ind., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. SMITH of Kentucky: Papers to accompany bill H. R. 10079, granting an increase of pension to Francis Marion Hatter—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 7507, to correct military record of Daniel F. Tracey—to the Committee on Military Affairs.

By Mr. SPALDING: Petition of citizens of Morton County,

N. Dak., relative to the division of the Bismarck land district—to the Committee on the Public Lands.

By Mr. SPIGHT: Papers to accompany bill H. R. 10745, for relief of heirs of Mrs. Polly Callahan—to the Committee on War Claims.

By Mr. THOMAS of Iowa: Papers to accompany bill granting an increase of pension to Clark Robinson—to the Committee on Invalid Pensions.

By Mr. TIRRELL: Papers to accompany bill granting an increase of pension to Silas Soules—to the Committee on Invalid Pensions.

By Mr. WEEMS: Papers to accompany bill H. R. 9289, granting a pension to Theodore T. Bruce—to the Committee on Invalid Pensions.

By Mr. WOODYARD: Petition of E. J. Woofter and 41 others, of Harrisville, W. Va., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

SENATE.

FRIDAY, January 29, 1904.

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. LODGE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, there being no objection.

REPORT OF COMMISSIONER OF PATENTS.

The PRESIDENT pro tempore laid before the Senate the annual report of the Commissioner of Patents for the fiscal year ended December 31, 1903; which was referred to the Committee on Printing.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 196) granting a pension to Grace E. Carson;
A bill (H. R. 227) granting a pension to Margaret Cotter;
A bill (H. R. 616) granting an increase of pension to Sarah S. Chrysler;

A bill (H. R. 895) granting an increase of pension to Margaret M. Walker;

A bill (H. R. 1908) granting an increase of pension to Harvey D. Barr;

A bill (H. R. 2139) granting an increase of pension to James W. Kight;

A bill (H. R. 2424) granting a pension to Emma Butler;

A bill (H. R. 4200) granting an increase of pension to Milton H. Sweet;

A bill (H. R. 4916) granting an increase of pension to Allen M. Pierce;

A bill (H. R. 5010) granting a pension to Mary F. Hamilton;

A bill (H. R. 5048) granting a pension to William H. Harrison;

A bill (H. R. 5464) granting an increase of pension to Francis M. Northern;

A bill (H. R. 5559) granting an increase of pension to Josephine C. Chase;

A bill (H. R. 5841) granting an increase of pension to Abraham Wilson;

A bill (H. R. 6932) granting an increase of pension to Harvey R. King;

A bill (H. R. 7849) to authorize the county of Poinsett, in the State of Arkansas, to construct a bridge across the St. Francis River at or near the town of Marked Tree, in said county and State;

A bill (H. R. 9292) in relation to business streets in the District of Columbia; and

A bill (S. 2121) to amend an act entitled "An act providing for public printing and binding and distribution of public documents."

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of David A. Russell Post, No. 78, Department of Massachusetts, Grand Army of the Republic, of Whitman, Mass., and a petition of E. V. Sumner Post, No. 19, Department of Massachusetts, Grand Army of the Republic, of Fitchburg, Mass., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the Alden Club, of Franklin; of the Woman's Club of Worcester, and of the Woman's Christian Temperance Union of Dorchester, all in the State of Massachusetts, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURROWS presented a petition of the city council of De-

troit, Mich., praying that an appropriation be made for the construction of a bridge over the Detroit River; which was referred to the Committee on Commerce.

Mr. HOAR presented a memorial of the national executive committee of the National German-American Alliance of the United States and a memorial of sundry German-American citizens of Montgomery County, Ohio, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Methodist Episcopal Church of Long Lake, N. Y., and of the congregations of the Methodist Episcopal, Presbyterian, and First Baptist churches of Vineland, in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Methodist Episcopal Church, of the Epworth League, and of the Woman's Christian Temperance Union, all of Blackstone, in the State of Massachusetts, praying for the enactment of legislation to prevent the nullification of State liquor laws by original packages and other "interstate-commerce tricks;" which were referred to the Committee on the Judiciary.

He also presented a petition of Lodge No. 88, Brotherhood of Railroad Trainmen, of Worcester, Mass., praying for the passage of the so-called Grosvenor anti-injunction and conspiracy bill; which was referred to the Committee on the Judiciary.

He also presented the memorial of F. H. Gibson, of Wellesley, Mass., remonstrating against the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented the memorial of F. H. Gibson, of Wellesley, Mass., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Board of Trade of Boston, Mass., and a petition of the Board of Trade of Gloucester, Mass., praying for the enactment of legislation providing for the destruction of derelicts in the North Atlantic Ocean; which were referred to the Committee on Naval Affairs.

He also presented a petition of the Board of Trade of Boston, Mass., and a petition of the Board of Trade of Gloucester, Mass., praying for the establishment of a permanent treaty of arbitration between the United States and the United Kingdom of Great Britain and Ireland; which were referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Boston, Mass., and a petition of the Board of Trade of Gloucester, Mass., praying for the enactment of legislation to reorganize the consular service of the United States; which were referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Boston, Mass., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Board of Trade of Gloucester, Mass., praying for the enactment of legislation to create a commission to consider and recommend legislation for the development of the American merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of the Merchants' Association of Boston, Mass., praying for the enactment of legislation to place coal permanently on the free list; which was referred to the Committee on Finance.

He also presented the petition of Mrs. Moore Murdock, national commandant of the Dames of 1846, praying for the enactment of legislation to increase the pensions of veterans of the Mexican war; which was referred to the Committee on Pensions.

He also presented petitions of H. M. Warren Post, No. 12, of Wakefield; of E. V. Sumner Post, No. 19, of Fitchburg, and of David A. Russell Post, No. 78, of Whitman, all of the Department of Massachusetts, Grand Army of the Republic, in the State of Massachusetts, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of W. L. Nye and 24 other citizens of Berkshire County; of the Worcester Woman's Club, of Worcester; of the Woman's Christian Temperance Union of Westfield, and of the Waltham Woman's Club, of Waltham, all in the State of Massachusetts, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented the petition of J. B. Ireland and 10 other citizens of Athol, Mass., and a petition of the Woman's Christian Temperance Union of Blackstone, Mass., praying for the enact-